

**THE LONDON BOROUGH OF SOUTHWARK (ELEPHANT AND CASTLE NO. 1)
COMPULSORY PURCHASE ORDER 2012**

HEYGATE LEASEHOLDERS GROUP

STATEMENT OF CASE

1. THE ORDER DOES NOT MEET THE STATUTORY PURPOSES FOR WHICH IT WAS MADE

- 1.1** The Acquiring Authority has made the CPO purporting to act under powers conferred by Section 226(1)(a) of the Town and Country Planning Act 1990. This statutory power gives local authorities the power to acquire land compulsorily for development and other planning purposes.
- 1.2** The wide power in section 226(1)(a) is subject to subsection (1A) of section 226. This provides that the acquiring authority must not exercise the power unless they think that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area.
- 1.3** ODPM Circular 06/2004 states that in order to satisfy the well-being test, Orders made under this section need to be set within a clear strategic framework: "*12. Any programme of land assembly needs to be set within a clear strategic framework, and this will be particularly important when demonstrating the justification for acquiring land compulsorily under section 226(1)(a) powers as a means of furthering the well-being of the wider area.*"
- 1.4** The Acquiring Authority's Major Projects Board initially passed a resolution to make the Order in July 2007. This was subsequently retracted and an amended resolution was passed by the Executive in February 2010. Both resolutions showed that the Order was situated within a 'clear strategic framework' – the 2004 Elephant & Castle Development Framework SPG (the Masterplan).
- 1.5** In October 2002, the Acquiring Authority announced that it had instructed the world's leading architect Foster & partners to create the 2004 Development Framework Masterplan: "*Foster and Partners has an international reputation for masterplanning in a major city context, particularly in the design of civic spaces and public transport interchanges. As these will all be key issues for consideration within our Comprehensive Planning Framework on the Elephant and Castle, their input and advice will be invaluable.*" - Jon Abbott, Assistant Project Director.
- 1.6** The core component of the masterplan was the demolition of the shopping centre, roundabout and link road, in order to create a civic square with integrated public transport interchange. This was designed to tackle the car-dominated layout of the area, and link up the tube stations both with each other and the overland train station by means of a pedestrianised civic square (see Appendix pg. 1-3, 2004 SPG extract).
- 1.7** Following its failed bid to become the council's development partner, and in response to doubts about shopping centre owner St. Modwen's willingness to sell in order to implement these core proposals, Council leader Peter John responded "*Demolishing the shopping centre is absolutely central to starting a new chapter for Elephant & Castle.*" In order to avoid piecemeal development and ensure that the masterplan vision was implemented as a whole, conditions were subsequently written into the regeneration partnership agreement [signed in 2010 between the Acquiring Authority and winning bidder - Lend Lease consortium]: "*The shopping centre is included in the Regeneration Agreement, and the agreed strategy for bringing forward the development of the shopping centre within the RA is that: the shopping centre will form part of the outline planning application along with the Heygate.*"[Paragraph 32]

"It will be pivotal to the success of the Elephant & Castle project that it be treated as a single unified programme."

Council briefing papers 15th Sep 1999

1.8 In 2011, negotiations with St. Modwen broke down¹ and a mutual agreement could not be found to bring the shopping centre into the Lend Lease consortium's ownership. Despite its contractual obligation in the Regeneration Agreement, Lend Lease were unwilling to indemnify the cost of acquiring the site through compulsory purchase. Around the same time, Transport for London announced that it would block plans for the peninsularisation of the northern roundabout because it would slow down road traffic too much².

1.9 The 2004 Masterplan was hastily scrapped, and the Regeneration Agreement was amended such that it now included just the replacement of housing on the Heygate estate. A replacement supplementary planning document (2012 E&C SPD) was hurriedly drawn up to replace the 2004 SPG, and this was swiftly passed with just one month given for consultation. All references to the demolition of the shopping centre, civic square and public transport interchange had now been removed, as had all reference to the peninsularisation of the Northern roundabout and traffic system rerouting. Also absent from the 2012 SPD were the new arts and cultural facility, the performance square, theatre, museum, library and secondary school, which had all originally been included in the 2004 SPG.

1.10 Further, notwithstanding the current proposals' failure to adhere to the core plans in the strategic framework, they have been designed exclusively to corporate whim and private agenda, which will lead to deterioration rather than improvement in the economic, social and environmental well-being of the area if the Order is confirmed. The current proposals fail to comply with basic planning policy requirements and will result in:

- The loss of 300 mature trees
- The loss of 1,000 social rented homes
- The loss of 2.4 hectares of public open amenity space
- The loss of 1,500m² of community facilities

1.11 The proposed high density development proposes a cluster of inward-facing tall buildings, comprising 2,300 residential units of which only 71 will be social housing. The original vision for a car-free zero carbon development has now been replaced by a development which proposes 616 car parking spaces, extra traffic lanes and zero renewable energy.

1.12 The commercial nature of the proposed development is further evidenced in its 'Estate Management Strategy', which proposes that the entire 25 acre site – including its streets and new 'public park' - comes under the exclusive control of a private 'Estate Management Company' (EMC).

1.13 It is therefore evident that the current programme of land assembly fails in its requirement to be '*set within a clear strategic framework*', and therefore fails in '*demonstrating the justification for acquiring land compulsorily under section 226(1)(a) powers as a means of furthering the well-being of the wider area.*' This clearly fails to establish a '*compelling case in the public interest, which sufficiently justifies interfering with the human rights of those affected*', as required by paragraph 17 of ODPM Circular 06/2004

2 THE UNDERLYING SCHEME IS NOT VIABLE AND THEREFORE WILL NOT BE IMPLEMENTED

2.1 The case for confirming the Order is further weakened by the ODPM 06/04 circular's financial viability requirement: "*The greater the uncertainty about the financial viability of the scheme however the more compelling the other grounds for undertaking the Compulsory Purchase will need to be.*" (Para. 16(iii))

2.2 Concerns were raised during the masterplanning stage about the financial viability of the bold new scheme³, but these were dismissed by Project Director Chris Horn who responded: "*This scheme is viable on a number of different bases. But we've got to convince people to invest without bastardising the development plan.*"

1 <http://www.london-se1.co.uk/news/view/5279>

2 <http://www.london-se1.co.uk/news/view/5337>

3 Property Week 6 June 2003 & Estates Gazette 10 June 2006

2.3 The outline application's officer's report⁴ states that both development partners are in clear agreement that the proposed development is currently unviable. It acknowledges that the development only becomes viable at a level of 9.4% affordable housing – well below the 25% being proposed, and goes on to state that the developer is taking a '**very big risk**' in delivering the development. This is further supported by the detailed planning application for phase one of the scheme⁵: "**The level of affordable housing proposed represents a level that is currently above what is indicated as being viable.**" Viability issues are also listed in the Acquiring Authority's risk register⁶ as one of the main barriers to scheme's implementation. The non-viability of the scheme is further confirmed in paragraph 8.4 of Simon Bevan's Statement of Case.

2.4 The development partner's track record at the Elephant & Castle scheme provides a good indication of the fate awaiting the Heygate site if the Order is confirmed. The Lend Lease consortium have already benefited twice from the misuse of Compulsory Purchase powers in relation to the failed Elephant & Castle scheme: first when it cleared a 5,000m² site adjacent to the Order land in 2007, which was home to a number of small businesses and retailers. The consortium subsequently obtained planning permission for 559 residential units and 2,500m² of retail space on the site. However, despite several deeds of variation to planning consent reducing the level of planning obligations and zero affordable housing, this site continues to remain empty due to non-viability. A second 4,500m² site comprising 800 short-term accommodation units was also acquired by the Lend Lease consortium, which was cleared and planning permission granted in 2007 for 470 new homes. Despite a deed of variation reducing the affordable housing element in the development, this site also still currently remains undeveloped to date. (see appendix pg. 8)

2.5 The Compulsory Purchase Orders confirmed for these sites could now be open to legal challenge, on the grounds that the land is no longer being used in conjunction with the statutory purposes for which it was acquired(2004 Masterplan).The Acquiring Authority and its development partner have therefore demonstrated a propensity to misuse the Compulsory Purchase powers with which it has been endowed, and shown disregard for the requirements set out in the ODPM Circular 06/04:

"An acquiring authority must be able to demonstrate that the land is required immediately in order to secure the purpose for which it is to be required." (Para.18);

"It would only be in exceptional circumstances that it might be reasonable to acquire land where there was little prospect of implementing the scheme for a number of years."(Para. 21);

"The Secretary of State will want to be reassured that there is a realistic prospect of the land being brought into beneficial use within a reasonable timeframe" (Para. 15);

"If an Acquiring Authority cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale, it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest"(Para. 19)

2.6 The development partner's viability concerns and wavering commitment to the scheme resulted in its decision in 2011 to withdraw its funding commitment to demolition of the estate. In order to rescue the scheme, the Acquiring Authority was subsequently compelled to seek approval from its Housing Investment Board to fund the £15m demolition costs from its Housing Investment Programme.

2.7 A further potential impediment to the scheme being implemented was pointed out by the former cabinet member for resources shortly after the shopping centre was dropped from the regeneration agreement. This is the possibility of legal action under Article 87 of the EC Treaty, under which the current Regeneration Agreement could be open to challenge because of its deviation from the 2007 Best and Final Offer (BAFO) submitted by the development partner during the EU procurement process. *"The council is opening itself up to possible challenge by abandoning the original town centre vision as in the masterplan, and failing to go back to the market on what is now*

4 Planning Application – Heygate Masterplan ref: 12/AP/1092

5 Planning Application – Heygate Phase One ref: 12/AP/2797, S106 Heads of Terms Agreement

6 Appendix pages 4-7, Elephant & Castle Programme – Risk Register October 2012

essentially two separate development plans – the report [to cabinet] gives no indication that advice was taken as to whether the council needs to reprocure."

2.8 Further, beyond delivery of phase 1 of the scheme, the Regeneration Agreement signed between the Acquiring Authority and development partner Lend Lease contains no conditions for any further phases to be completed within a fixed time period. There are currently 170,000 homes in London with planning permission in stalled developments. This is the result of a common practice known as 'land banking' in which development sites are used by large multinational developers to bolster their balance sheets: the sites show up as assets in their financial accounts and are used as collateral to keep financing costs low.

2.9 The Order thus fails in the requirement set out in paragraph 22 of the ODPM Circular 06/04 "*In demonstrating that there is a reasonable prospect of the scheme going ahead, the acquiring authority will also need to be able to show that it is unlikely to be blocked by any impediments to implementation. In addition to potential financial impediments, physical and legal factors need to be taken into account."*"

2.10 The Acquiring Authority has therefore failed to comply with the requirements of paragraph 17 of ODPM Circular 06/2004 Compulsory Purchase and the Crichel Down Rules. This Circular requires that the Acquiring Authority must '*be sure that the purposes for which it is making a CPO sufficiently justify interfering with the human rights of those with an interest in the land affected.*'

3 THE EXISTING USE OF THE LAND IS MORE IMPORTANT THAN THE PURPOSE FOR WHICH IT IS PROPOSED TO BE ACQUIRED

3.1 Having established the non-viability of the scheme and that it is no longer being implemented according to the masterplan it was intended to serve, it follows that the existing use of the land is more important than the purpose for which it is proposed to be acquired.

3.2 The Acquiring Authority currently values its residential housing stock at £954 per square metre⁷. Once refurbished this would amount to a total value of around £100m for the 1,200 homes on the estate. In a study by global architectural consultancy Gensler⁸, refurbishment costs have recently been estimated at around £35m, which includes full refurbishment of the estate plus the additional construction of balconies and an Envac waste system.

3.3 Taking account of the refurbishment costs estimated by Gensler, the value of the site in its current condition therefore amounts to approximately £65m. The sum of £46m agreed in the Regeneration Agreement in consideration of the site value is therefore well below its current use value and represents bad negotiation on behalf of the Acquiring Authority. This represents a loss of £19m to the Acquiring Authority and shows that contrary to providing economic benefits the scheme will result in a significant economic loss.

3.4 Refurbishing the estate would help meet the borough's pressing housing need for social rented homes. Surveys undertaken by the Acquiring Authority show that the majority of its residents in the surrounding area are unable to afford anything other than social rented accommodation⁹. Refurbishment would help to significantly alleviate the borough's increasing homelessness figures and offer homes to a proportion of the 20,000 desperate households currently registered on its housing waiting list.

3.5 Further, during the only comprehensive survey of residents' views on the Heygate estate¹⁰, only 29% were dissatisfied with living on the estate and 54% of its residents voted in favour of refurbishment. Just 32% wanted the estate to be demolished and replaced with new council homes, and only 5% voted for the option which forms the basis of the current proposals.

⁷ Southwark Council Asset Management Plan 2010 – Appendix 1

⁸ See appendix pages 13-19: Gensler Refurbishment Appraisal

⁹ Southwark Housing Requirements Study - Sub-area Report: Walworth , June 2009

¹⁰ MORI Poll Opinion Survey April 1999 – see appendix page 9

3.6 The failure of the Acquiring Authority to consider the views of its residents, is a breach of Article 6 of the Human Rights Act, which requires consultation and due consideration to be given to the results of any such consultation.

3.7 These findings were further supported by an independent option appraisal study commissioned by the Acquiring Authority. This explored a number of different options including basic repair and refurbishment estimated at just £7.2m. It recommended against complete demolition, which was the most expensive option at £53m, and instead advocated partial demolition and refurbishment of the remainder at an estimated cost of £41m.

3.8 The option appraisal's recommendations for refurbishment were based on a number of positive observations: “*The crime statistics show a very low crime rate for this estate.”(45% below the borough average¹¹); “Many of the residents on the Heygate estate have lived on the estate since its construction 25 years ago, and many have lived in the locality all their lives.*”

3.9 The case for refurbishment is further supported by a comprehensive survey of the borough's housing stock¹², commissioned by the Acquiring Authority in 1999. The report showed the current condition of all buildings in the council's ownership, and estimated costs for maintenance and repairs over 30 years. The estimated cost of maintenance and repairs of the Heygate estate were significantly below the average estimate of £23,363 over 30 years.

4 HUMAN RIGHTS VIOLATIONS – HUMAN RIGHTS ACT 1998

4.1 Former Heygate estate tenants were asked to leave their homes on the promise that they would be able to move into new homes on the Heygate site when construction was completed. They were given a 'right to return' to the new homes once they were built, and had the planning application complied with policy requirements on affordable housing, it would have been possible for every former Heygate tenant to return to a new home on the site. However, because the planned development now proposes just 71 social rented homes out of a total 2,300 new homes, it will no longer be possible for the Acquiring Authority to honour this promise.

4.2 This is an insult to the 1,000 families who were forced to give up their homes to make way for this development, hundreds of which were forced to leave under the shadow of eviction proceedings¹³. It is also a breach of Article 8 of the Human Rights Act 1998, which is the right to respect for an individual's private and family life, and his/her home.

4.3 When Heygate residents were asked their opinion on moving out in order to make way for a regeneration that would provide jobs and new homes in a 1999 MORI poll, the majority said that they were happy living on the estate, and that they would rather see the estate refurbished. The failure of the Acquiring Authority to pay due consideration to the wishes of its residents is a breach of Article 6 of the Human Rights Act, which is the right to a fair hearing.

4.4 In addition, there has been a serious procedural error in the making of the Order, which is in clear breach of Article 8 of the Human Rights Act: In seeking authorisation for making the Compulsory Purchase Order, the Feb 2010 resolution by the Acquiring Authority's Cabinet was made against a specific detailed development framework (2004 SPG), which was rescinded 5 months before the Order was made. The current Order is therefore invalid because it has not been properly authorised by the full council executive as required by the council's constitution and the Acquisition of Land Act 1981. The Order is thus also in breach of Article 8 of the Human Rights Act (HRA), which requires that interferences with human rights be made in accordance with the law.

4.5 Article 8 of the HRA also requires that human rights interferences are considered by a public authority and balanced against the public benefit. However, appendix 4 of the Feb 2010 resolution to make the Order, shows that the Acquiring Authority considered human rights interferences against the public benefits of a scheme which has since been abandoned (2004 SPG). The council's full

11 See appendix pages 10-12: Met Police Crime Statistics

12 NBA Consortium Services – Stock Condition Survey 1999

13 See appendix pages 25-44

executive has been given no opportunity to consider human rights interferences against the potential public benefits of this current scheme underlying the Order (2012 SPD), and it therefore fails to comply with this requirement of the Human Rights Act.

- 4.6 In summary, the Acquiring Authority's action in making the CPO is oppressive, and is a misuse of the statutory powers conferred by the Town and Country Planning Act 1990 to compulsorily acquire the Objectors' land. The Acquiring Authority has also failed to comply with several requirements identified in the ODPM Circular 06/2004. If, contrary to the above, the CPO is confirmed, it is clearly vulnerable to further challenge in the High Court under s.23 of the Acquisition of Land Act 1981, which could result in the CPO being quashed. The CPO should therefore be withdrawn forthwith to avoid any further wasted costs.
- 4.7 The Objectors hereby place the Acquiring Authority on notice (together with its partners, servants, agents, advisors and representatives) that its actions could be construed as public misfeasance. The Objectors therefore reserves their rights in that respect. Furthermore, the Objectors reserve their right to damages under the Human Rights Act 1998.

Signed on behalf of Heygate Leaseholders Group

Dated: 11th January 2013

5 ADDENDUM

The Objectors wish to point out a number of factual inaccuracies in the Acquiring Authority's Statement of Case:

- 5.1 In paragraph 2.3 of the Acquiring Authority's Statement of Case, an inference is made that the estate's construction does not comply with revised requirements of the building regulations regarding disproportionate collapse in the event of an accident. This is inaccurate: the 1969 Heygate estate planning brief states quite clearly that the system used complies with the structural requirements of the Ministry of Housing and Local Government Circulars 62/68 and 71/68.
- 5.2 Paragraph 2.4 of the Acquiring Authority's Statement of Case claims that the 'high level pedestrian links acted as barriers encircling the site and making the estate very insular'. There is no evidence to suggest that the estate was 'very insular'. If the estate can indeed be described as insular, then this is due to its severance from the surrounding environment created by its location between two major road arteries (Walworth Rd – New Kent rd.). It should be noted that the replacement development proposals fail to address the impermeability of the site location resulting from its proximity to these major traffic lanes. Neither do the development proposals address the noise and traffic pollution which the existing design successfully mitigates¹⁴.
- 5.3 There is nothing to support the claims made by the Acquiring Authority's in Paragraph 2.5 of its Statement of Case: the only survey undertaken on the estate was the 1998 Allot & Lomax Option Appraisal survey, which found that "Structurally the buildings and walkways appear to be in satisfactory condition." The survey concluded by recommending that the Objectors' homes on the estate be refurbished: "***It is not only the most cost-effective solution but will lead to an overall development which will be environmentally, architecturally and socially appropriate to take the Heygate into the new millennium.***"
- 5.4 The Acquiring Authority's claim in Paragraph 2.9 that '***70% of the Heygate tenants expressed a wish to move to a new home***' is misleading: the survey in question asked: if the estate were demolished what would be your preferred rehousing option? 70% of tenants expressed a wish for a new council home on the estate footprint. The current proposals for the Order land fail to provide any new council housing and therefore the scheme could be open to legal challenge from former residents under the Human Rights Act.

14 See appendix page 45 for summary of Witness Statement - Heygate architect Tim Tinker

5.5 The Acquiring Authority's information in sections 2.14 – 2.18 is misleading. There were a total of 23 replacement housing sites listed in the 2004 SPG¹⁵ designed to accommodate the relocation of Heygate residents. Only one of these had been completed by the time the majority of residents had been forced off the estate, at least 53 of which left under the shadow of eviction proceedings. This first completed replacement housing site contained just 15 social rented units. To date only 228 social rented units have been completed in the 7 replacement housing sites completed, in which just 45 former Heygate residents have been relocated to date. It should be noted that leaseholders were originally promised a 'retained equity' option in assisting them to buy one of the replacement housing units. However, this pledge has not been honoured and leaseholders have been forced to relocate outside the area due to a discrepancy in the valuations offered by the Acquiring Authority and property prices at the Elephant & Castle.

5.6 The Acquiring Authority's claim in paragraph 2.24 that "***94% of local people were in favour of the regeneration plans***", fails to point out that just 6% of people responded to the survey in question.

5.7 In paragraph 2.27, the Acquiring Authority states "Lend Lease has a strong track record in London of partnering with public sector landowners on large, complex urban regeneration projects through its work with the Olympic Delivery Authority delivering the 2,800 home East Village in Stratford." However, this statement fails to mention that following a crisis with its credit rating, Lend Lease were unable to raise the necessary £450m funding to complete the Olympic Village project. It eventually needed to receive emergency Government funding in order to complete the project.

5.8 In paragraph 3.6, the Acquiring Authority states that 626 former secure tenants on the Heygate estate have been rehoused. This fails to mention that at least 53 of these were rehoused following eviction proceedings. It also fails to mention that there will be insufficient capacity in the 71 social rented homes proposed to accommodate the 209 former Heygate tenants who have signed a 'right to return' to the new development.

5.9 Paragraph 6.8.3 claims that the central focus of the Proposals is the new public park. However, it fails to point out that the new 'public' park will be privately owned and managed. There are no plans for any adopted public open space in the development proposals; it is therefore inaccurate to describe this element of the proposals as such. Further, the existing 2.4 hectares of public open amenity space on the Order land will be lost if the Order is confirmed.

5.10 Negotiations with leaseholders mentioned in paragraph 7.6 of the Acquiring Authority's Statement of Case have been hampered by the Acquiring Authority's Chief Surveyor, who has refused to correspond with leaseholders directly, and has rejected requests by leaseholders for mediation¹⁶.

5.11 In paragraph 7.6 the Acquiring Authority claims to have offered an 'enhanced re-housing package' to leaseholders. However, it fails to mention that leaseholders were promised a 'retained equity' option in assisting them to buy one of the new homes on the Order land¹⁷. This pledge was not honoured and leaseholders have been forced to relocate outside the area.

15 See appendix page 20 – 2004 SPG Development Framework

16 See appendix page 24

17 See appendix pages 20-23

Elephant and Castle Current Masterplan Area

Lend Lease



1

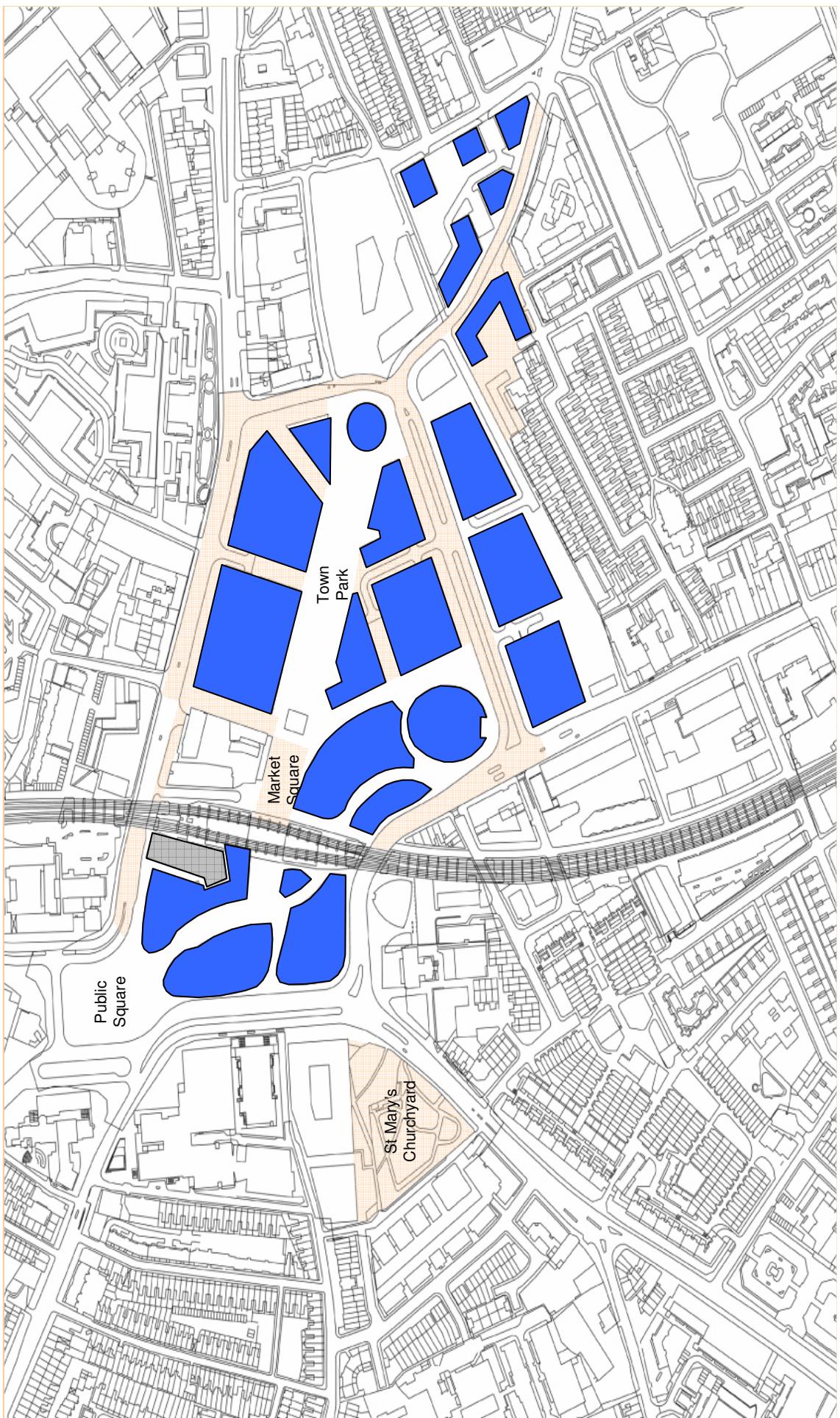




figure 2.3 : the character areas

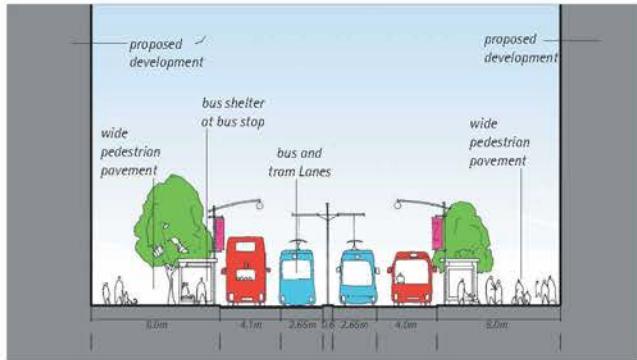


figure 4.13 : PUBLIC TRANSPORT ONLY ROUTE - proposed section through Walworth High Street (north of Heygate)

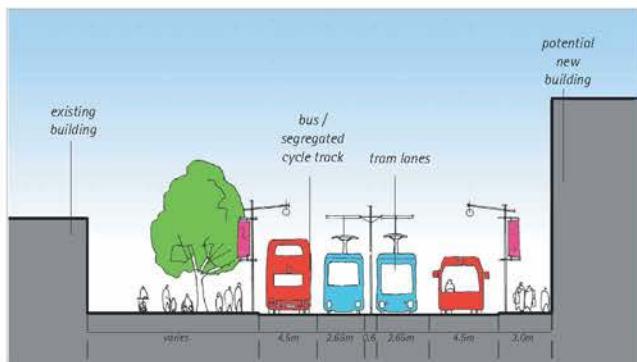


figure 4.14 : PUBLIC TRANSPORT ONLY ROUTE - proposed section through London Road

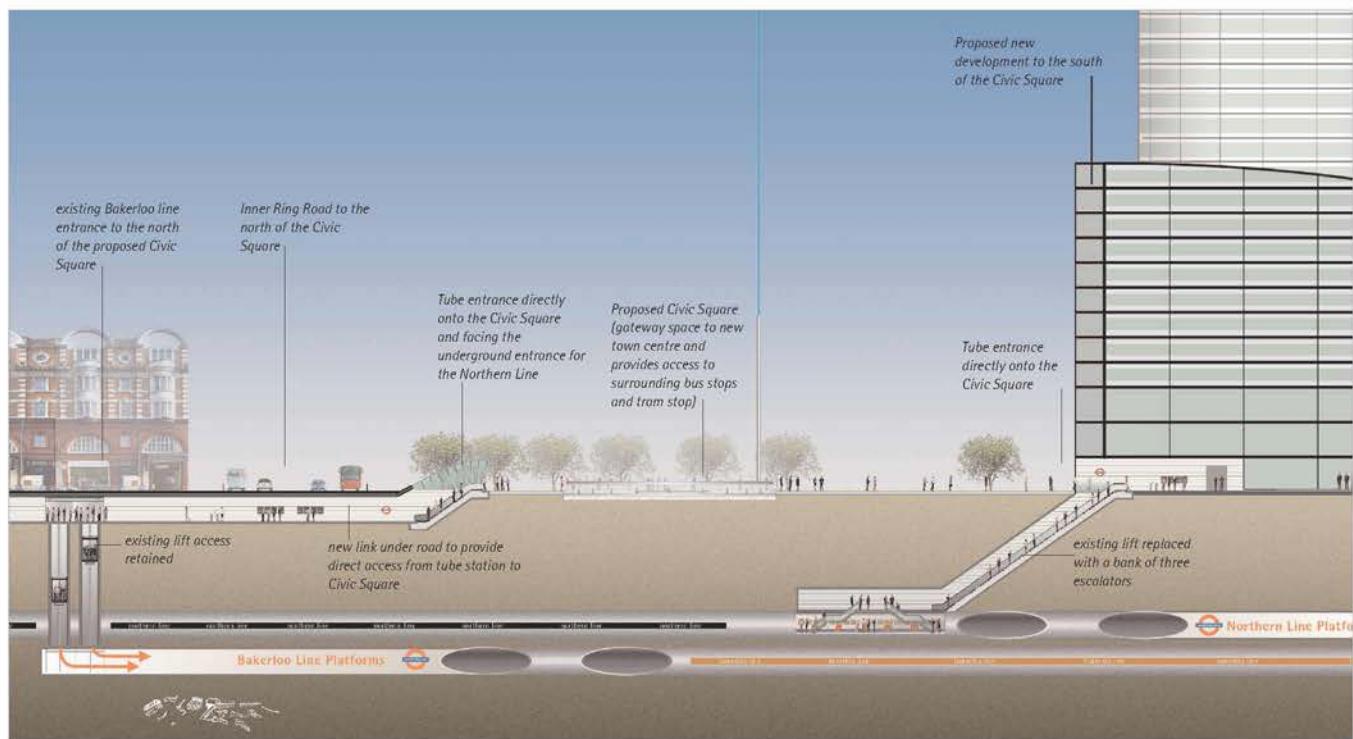


figure 4.15 : Pedestrian access to tubes from the new Civic Square

Elephant & Castle Programme

Programme Risk Register

Active Risks

Ref. No. R/	Description	Nature of the Risk (Y/N)	Cause (Hazard)	Potential Consequence	Proximity	Likelihood	Impact	Risk	Control measure(s)		Last Comment/Status	
									Type	Owned by	Proposal	
ECLC14	Archaeological findings cause additional cost and delay to project	Y	Y	Human remains on site require sensitive removal.	Increased cost and time in preparing cleared site for construction and impact on overall contract	Ongoing	7	5	59	Red	SF	Carry out archaeological investigations and demolition in advance of main works through direct contract arrangement.
ECLC11	Injury or death caused by construction traffic movements	Y	Y	Increased traffic movements on local roads result and their interface with other road users (cyclists etc) and pedestrians	Injury or death	Ongoing	4	8	62	Red	SF	Strict contractual requirements on all haulage/delivery operators, detailed risk assessment approach to developing site logistics strategy to minimise interaction between road users and site traffic
ECLC24	Blight to new leisure centre caused by ongoing neighbouring construction works	Y	Y	Residential works due to continue for circa 18 months post-completion of leisure centre	Leisure centre access constrained and usage reduced.	Summer 2015	7	6	68	Prev	SF	Agree phasing and delivery obligations between two parties
SM4	Land receipt		Y	Ground conditions, planning permission and/or onerous S106 requirements impact on receipt.	Reduction in, or delay to, capital receipt for residential site	Nov-12	7	5	59	Red	MR	Ongoing liaison between Lend Lease, EC team and planners.
SM6	Injury or death caused by construction traffic movements	Y	Y	Increased traffic movements on local roads result and their interface with other road users (cyclists etc) and pedestrians	Injury or death	Ongoing	4	8	62	Red	MR	Strict contractual requirements on all haulage/delivery operators, detailed risk assessment approach to developing site logistics strategy to minimise interaction between road users and site traffic
SM8	Delivery of S106 obligations	Y	Y	S106 proposals submitted in planning either not deliverable or not maintainable.	Lend Lease and LBS local regeneration aspirations not met (i.e. park and public realm).	Ongoing	5	5	41	Red	MR	Working group established between LL, parks, Highways and Leisure to ensure deliverable proposals
P1 - 1	Planning Consent		Y	Planning consent refused due to local objections, poor design, affordable housing or viability issues	Delay in commencement of construction, delay in LL achieving unconditionality and land payments received	Dec-12	5	7	61	Red	JA	Ongoing liaison between Lend Lease, EC team and planners. Supporting Lend Lease and Regeneration Forum during consultation period
P1 - 3	Affordable Housing - Viability		Y	S106 requirements, design and build costs, sustainability costs or crash in property values result in the delivery of Phase One being deemed non-viable.	Lend Lease do not meet the Regeneration Agreement's minimum requirement and therefore land is not transferred, land receipt not received and construction delayed	Ongoing	4	7	52	Red	SP / JA	On-going third party scrutiny of LL financial model and quarterly reporting. Contractual obligations upon Lend Lease within Regeneration agreement
P1 - 4	Affordable Housing - Type			Mix of accommodation required by policy (1 bed/family units) does not match household profile	Affordable housing does not meet local need	Ongoing	5	4	32	Red	JA	Ongoing liaison between development partner, planning and housing regeneration to ensure affordable provision reflects pattern of need.

Ref. No. R/	Description	Nature of the Risk (Y/N)	Cause (Hazard)	Potential Consequence	Proximity	Likelihood	Impact	Risk	Control measure(s)	Proposal	Likelihood	Impact	Risk	Last	Comment/Status	
											1-10	1-10	Type	Owned by	1-10	Rating
P1 - 5	Affordable Housing - Affordability	Y	Affordable housing is deemed unaffordable for people on housing list	Objections to planning application on grounds that housing is viewed as not meeting the needs of residents and criticism that E&C regeneration would not achieve mixed community objectives. Potential delays to programme	Ongoing	8	6	75	Red	JA	Robust scrutiny of viability by independent district valuer through planning process. Process to identify RSL partner with best financial offer. Ensure that family units are provided at target rents. Minimise rent rises for 1 & 2 bed units.	6	4	40	Oct-12	Prior approval to demolish application to be submitted during October in order to secure planning and commence demolition works in January.
P1 - 7	Grant timescales	YY	Delay in planning, construction and completion of Phase One means housing grant deadline of Mar 2015 is missed.	Scheme unable to proceed .	Ongoing	5	10	85	Red	JA	E&C team supporting Lend Lease during planning process and reducing possibility of planning being deferred or refused. Separate planning application for demolition submitted so that remaining demo works can commence immediately.	2	7	35	Oct-12	
D - 1	Vacant Possession	YY	CPO is delayed	LBS unable to provide LL with a vacant site, demolition and construction delayed, and potential justification for Lend Lease to withdraw from the scheme.	Jun-13	2	9	54	Red	SP / JA	Robust legal procedure & advice from Counsel ahead of CPO process. LBS issued CPO notice in August 2012. On-going liaison with remaining leaseholders living on estate to assist with finding alternative accommodation. Demolition phasing altered in order to proceed with works safely whilst residents remain on estate.	2	5	20	Oct-12	Raised walkways closed off in Sept 12 following emergency footway closure notice. Signage installed throughout estate advising of closure. Planning application for security fence being prepared.
D - 2	Community Safety	YY	Significant crime or incident occurs on the estate during the decant period	Significant negative publicity, On-going increased security costs to maintain a safe estate during remaining decant period. Legal action taken against Council	On-going	7	8	83	Red	JA / MR / Housing Dept.	Continual security presence on the estate, close working relationship with housing & community safety team. Vacant premises and blocks secured immediately. Security fence erected around phase one and two	5	8	70	Oct-12	Delays in agreeing the demolition management agreement with Lend Lease due to delays in lawyers feeding comments back and forth. Potential risk of approval to demolish being in place ahead of contractor being selected.
D - 8	Procurement	YY	The procurement of the demolition contractor is delayed or tender prices received are much greater than expected. Procurement process is challenged.	Delay in commencement of the demolition. Southwark need to forward fund a greater amount in order for Lend Lease to commence demolition.	On-going	5	7	61	Red	JA	Regular liaison with Lend Lease regarding procurement of demolition. Monthly agreements about agreed expenditure profiling. 5 leading companies invited to tender.	3	7	43	Oct-12	
MP - 4	Primary Conditions of Regeneration Agreement	YY	Failure to satisfy primary conditions in agreement	Financial loss and scheme not proceeding	Ongoing	4	8	62	Red	JA	Robust monitoring at management board and close partnership working.	3	7	43	Oct-12	
MP - 5	Affordable Housing - Social Housing Grant	Y	Reduction in social housing grant .	Non-delivery of affordable housing target	Ongoing	6	7	69	Red	JA	Early delivery of affordable housing as part of the rehousing programme Minimum contract requirements for Lend Lease to provide social housing on the Heygate. Close working with HCA, government and RPs to ensure E & C is prioritised	4	7	52	Oct-12	

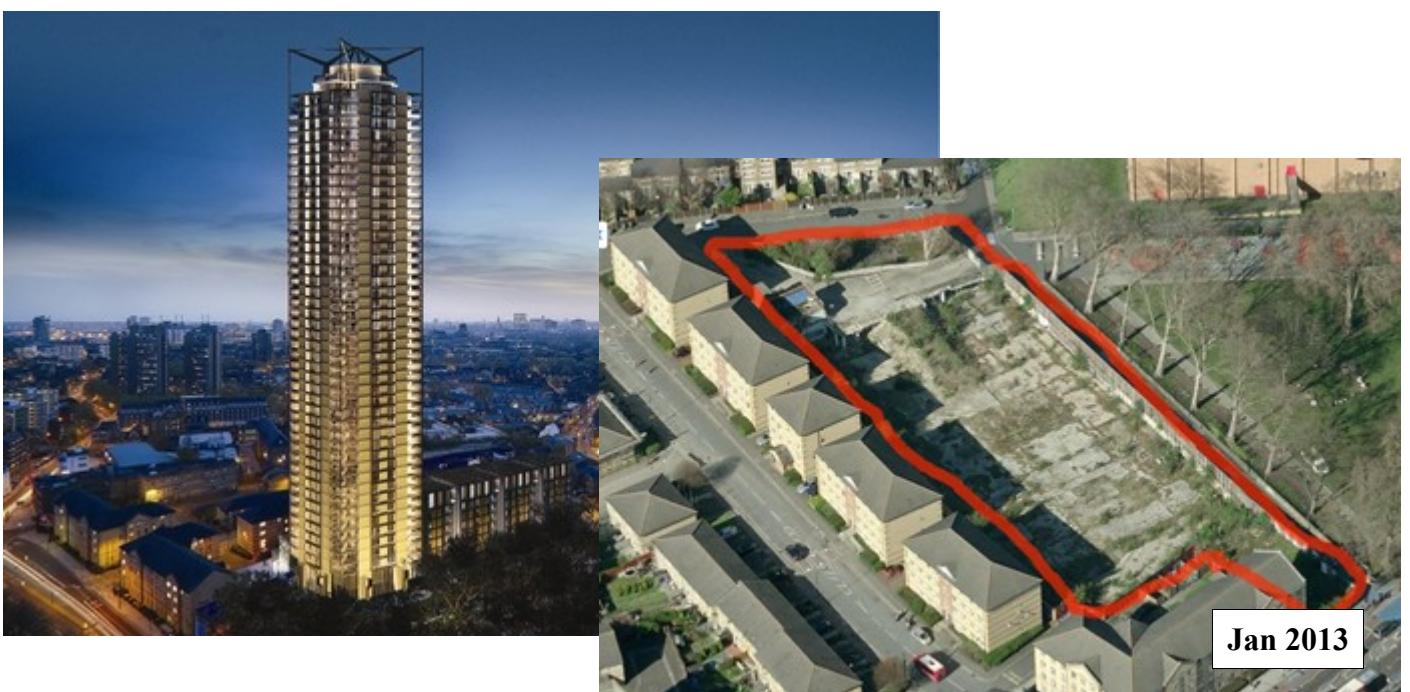
Ref. No. R/	Description	Nature of the Risk (Y/N)		Cause (Hazard)		Potential Consequence		Proximity	Likelihood	Impact	Risk	Control measure(s)	Proposal	Likelihood	Impact	Risk	Last	Comment/Status
		1-10	1-10	Rating	Type	Owned by								1-10	Rating	1-10	Update	
MP - 6	Affordable Housing - redefinition	Y	Y	Statutory redefinition of what constitutes affordable housing	Redefinition causes what affordable housing target not to be met	Ongoing	5	7	61	Red	JA	Early delivery of affordable housing as part of the rehousing programme	Locally adopted valid policies interpreting national requirements	4	6	42		
MP - 7	Affordable Housing - non viability	Y	Y	Economic climate impact on viability of phases post unconditionality of Regeneration Agreement	Delay in delivery of Heygate phases. Delay in delivery of additional affordable housing.	Ongoing	7	6	68	Red	JA	Robust scrutiny of viability by independent district valuer.	Contractual obligations upon Lend Lease within Regeneration agreement	6	5	50	Oct-12	
MP - 8	Affordable Housing - Type	Y	Y	Mix of accommodation required by policy (1 bed/family units) does not match household profile	Affordable housing does not meet local need	Ongoing	5	4	32	Red	JA	Ongoing liaison between development partner, planning and housing regeneration to ensure affordable provision reflects pattern of need.	Ongoing liaison between development partner, planning and housing regeneration to ensure affordable provision reflects pattern of need.	4	4	25	Oct-12	
MP - 9	Affordable Housing - Affordability	Y	Y	Affordable housing is perceived as being unaffordable.	Housing criticised for not meeting the need of residents and E&C does not achieve mixed community objectives. Objections to planning application and delay to programme.	Ongoing	8	6	75	Red	JA	Direction of off site affordable contributions into programme	Facilitating grant discussions between development partner and HCA	7	6	68	Oct-12	
MP - 10	Affordable Housing - right of return	Y	Y	Affordable units delivered do not meet the needs of those with right to return	Southwark does not meet obligations to former tenants	Ongoing	5	5	41	Red	JA	Prioritisation of right to return tenants during nomination process	Ongoing review of affordable housing types and mix	4	4	25	Oct-12	
MP - 11	Affordable Housing - Phasing	Y	Y	Affordable units are phased and under delivery in early phases causes eventual non-delivery in required 25% level overall.	Non-delivery of affordable housing target	Ongoing	4	5	33	Red	JA	Robust monitoring and ongoing review of delivery strategy via RA contractual requirements	Investigation of maximum delivery in every scheme	2	5	20	Oct-12	
MP - 13	Planning consent		Y	Planning consent refused due to local objections, poor design, affordable housing or viability issues	Delay in commencement of construction, delay in LL achieving unconditionality and payments received	Dec-12	5	7	61	Red	JA	Ongoing liaison between Lend Lease, EC team and planners. Supporting Lend Lease and Regeneration Forum during consultation period		3	7	43		
SC - 1	Redevelopment of existing E&C Shopping Centre		Y	St. Modwens do not bring forward the redevelopment of the shopping centre and key strategic site is not regenerated	Central area of the Elephant and Castle continues to be blighted by unattractive shopping centre. Works to increase the capacity of the LUL station cannot progress. Impacts on ability to meet housing, retail space and jobs targets.	Ongoing	5	8	70	Red	JA / SP	Development Agreement in place with St. Modwens, Regen Agreement in place with Lend Lease. Clear policy advice in place regarding strategic transport contributions.		3	8	53	Oct-12	On-going liaison with St. Modwens on their proposals for redevelopment of site.

Ref. No. R/	Description	Nature of the Risk (Y/N)		Cause (Hazard)		Potential Consequence		Proximity	Likelihood	Impact	Risk	Control measure(s)	Proposal	Likelihood	Impact	Risk	Last	Comment/Status
		External/Economic	Financial	Regeneration	Spatial+culture	Service delivery	Health+Safety											
WRO - 1	Transport Infrastructure	Y	Y	No agreement reached with TFL to fund and deliver key infrastructure improvements required to LUL and northern roundabout in order to mitigate impact of masterplan scheme		No agreement regarding the northern line station results in delay to any planning application for the redevelopment of the shopping centre. No improvements to the northern roundabout results in poor gateway condition to regenerated E&C. Northern roundabout remains crime		On-going	6	6	60	Red	JA	Liaison between LL / LBS / TFL at high level. Co operation agreement in place with St. Modwen's to bring forward redevelopment proposals. E&C Strategic Transport contribution introduced.	3	6	34	
WRO - 2	Job Creation	Y	Y	The regeneration of the Opportunity Area fails to deliver the targetted 5000 new jobs as required in the adopted E&C SPD		Low level of job opportunities for local community. Regeneration does not deliver the economic development benefits aspired for.		On-going	5	6	51	Red	JA / Corp Policy	Liaison between developers, planning and corporate policy during planning process to determine local job creation during construction. Planning policy in place to retain and enhance employment space through development. Minimum commercial space targets established in Regeneration Agreement	3	5	26	Oct-12
WRO - 3	Housing Numbers	Y	Y	The regeneration of the Opportunity Area fails to deliver the targetted 4000 new homes by 2026 as required in the adopted E&C SPD.		Low level of residential development would result in lower S106 contributions received particularly in form of CIL, affordable housing and strategic transport contributions. This could result in key regen objective such as infrastructure improvements being stalled due to funding.		On-going	4	7	52	Red	JA	Regeneration Agreement establishes minimum home requirements for Lend Lease. LBS identifying and bringing forward strategic sites such as St. Mary's for residential led development. Regen team working closely with developers during planning process to assist in promotion of development and regen benefits	3	4	19	Oct-12
WRO - 4	Urban Design principles	Y	Y	Opportunity area regeneration fails to deliver the SPD objectives of improved public realm, pedestrian / cyclist permeability and increased open space.		Physical environment throughout the Opportunity Area is not improved. Insufficient increase and improvement in open space to meet needs of increased population. Reputation of poor urban area remains. Northern Roundabout remains accident / crime hotspot. Developers not encouraged to invest in area due to poor environment and low desirability		On-going	4	7	52	Red	JA	Heygate masterplan application provide vastly improved routes for pedestrians and cyclists, also provides large new open space at centre. Public Realm and Open Space S106 contributions secured to deliver programme of improvements including increased St. Mary's churchyard. Proposed improvements to northern roundabout will remove last of pedestrian subways changing perceptions and reputation	2	4	14	
																		Risk management
																		Risk Review

Lend Lease Consortium Developments – Elephant & Castle 2007-2013



'London 360 Tower'
Planning permission granted Sep 2007



APPENDIX 1

GENERAL CONCLUSIONS FROM INFORMATION AVAILABLE ON ELEPHANT & CASTLE

1. **SEI Reports on Heygate**

During the course of the CRI option appraisal study carried out between August and October 1998, there was one meeting with the T&RA. The option appraisal consultant also undertook a postal residents' survey, which had a 36% return rate. The options identified by the study were the subject of an exhibition on 10/11 December 1998. Various aspects of the study were also discussed at three Neighbourhood Forum meetings between July and September 1999.

Following the Housing Committee decision on 15 December 1999, concern was expressed by the T&RA about the consultation findings that had informed the decision. It was therefore agreed to undertake an independent opinion survey of Heygate residents. MORI were appointed to undertake the survey in April 1999 and a steering group of residents, ward councillors and officers was formed to oversee the process and review the findings. The results were as follows:

Returned questionnaires 571 out of 1191 (48%)

Option	First Choice (%)	Second Choice (%)
Repair and improve	29	10
Demolish and rebuild	32	32
Repair and improve maisonettes and demolish high rise and rebuild	25	37
Demolish and don't rebuild	5	7
Not stated	8	14

55% said that they were satisfied with living on the estate.

63% said that their first choice rehousing option would be a council home on Heygate as opposed to 11% who wanted a Council home elsewhere in Southwark.

The steering group has evolved into a Project Team, which is to be formally constituted on 6 September 1999.

Offence data for the period 1998 to 2003, for the borough of Southwark and Heygate Estate.

Protective Marking	Not Protectively Marked
Suitable for Publication Scheme	Yes
Ad-Hoc Reference Number	37134
FOIA/MOPC Ref Number	2012020000302
Summary	Offence data for the period 1993 to 2003, for the borough of Southwark and Heygate Estate.
Creating Branch / Directorate	DOI 1 (6)
Date Created	07/02/2012

This report uses LIVE DATA extracted from CRIS MIS and Metstats

Date Live data was extracted: 20/02/2012 & 07/02/2012

The data in this report reflects **live data** which may be subject to small changes over time

Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

Heygate Estate recordable offences for the period April 1998 to December 2003.

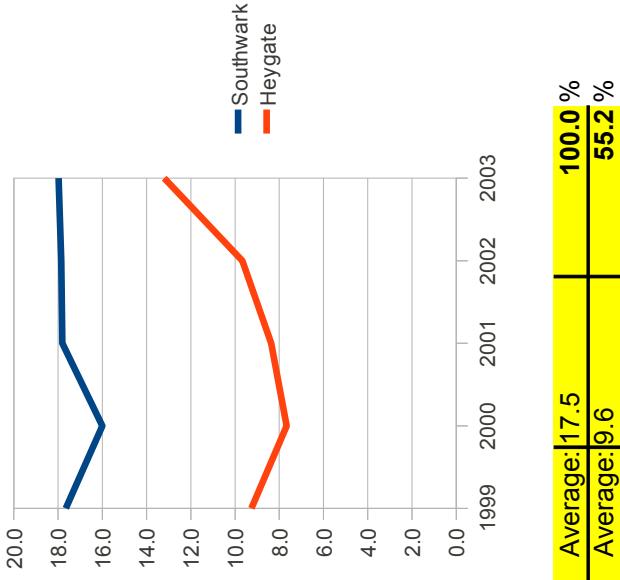
Major Text	Minor Text	April to Dec 1998	1999	2000	2001	2002	2003
Violence Against the Person	Assault with Injury	23	29	8	10	9	18
	Common Assault	13	27	40	39	31	33
	Harassment	5	10	5	6	10	19
	Offensive Weapon	4	2	3	2	5	2
	Other Violence	1	4	2	1	4	13
	Serious Wounding	4	2	0	1	1	4
Violence Against the Person Total		50	74	58	59	60	89
Sexual Offences	Rape	1	3	1	3	0	2
	Other Sexual	0	2	1	4	3	2
Sexual Offences Total		1	5	2	7	3	4
Robbery							
Robbery Total							
Burglary							
Burglary Total							
Burglary in a Dwelling							
	20	43	15	9	19	19	13
	Burglary in Other Buildings	10	6	7	8	10	4
Burglary and Handling							
Burglary and Handling Total							
	Handling Stolen Goods	1	0	0	0	2	3
	M/V Interference & Tampering	0	0	1	3	5	1
	Other Theft	8	14	15	15	11	17
	Picking Pockets, etc	2	0	0	1	1	2
	Scratches	5	1	2	5	3	10
	Theft From M/V	21	20	11	25	24	23
	Theft/Taking of M/V	18	24	20	18	17	14
	Theft/Taking of Pedal Cycles	0	3	0	1	1	0
Fraud and Forgery							
Fraud or Forgery Total							
	Counted per Victim	2	3	3	3	1	2
Criminal Damage							
Criminal Damage Total							
	Arson	2	3	3	3	1	2
	Criminal Damage To a Dwelling	15	1	4	1	2	4
	Criminal Damage To M/V	8	38	25	27	47	57
	Criminal Damage To Other Bldg	7	5	17	13	13	18
	Other Criminal Damage	1	3	4	4	5	7
Drugs							
Drugs Total							
	Drug Trafficking	33	51	52	47	70	92
	Other Drug Offences	0	2	0	1	7	4
	Possession Of Drugs	14	10	6	7	12	8
Other Notifiable Offences							
Other Notifiable Offences Total							
	Going Equipped	1	1	0	0	0	0
	Other Notifiable	2	8	2	3	3	4
Other Notifiable Offences Total		3	9	2	3	3	4
Grand Total		195	278	230	251	290	396

Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

Sheet1

Heygate Estate Crime Statistics 1999 - 2003

	1999	2000	2001	2002	2003
Southwark	43734	40447	45707	45960	46276
Heygate	278	230	251	290	396



Population	1999	2000	2001	2002	2003
Southwark	247853	252726	256712	257364	257427
Heygate	3000	3000	3000	3000	3000

% Crime	1999	2000	2001	2002	2003
Southwark	17.6	16.0	17.8	17.9	18.0
Heygate	9.3	7.7	8.4	9.7	13.2

Heygate estate crime rates on average 45% lower than the borough average over 5 year period 1999-2003

Source GLA & Met Police FOI request: <http://betterelephant.org/images/HeygateCrimeStats.pdf>

LONDON LIVING FROM £ 20K



13rd Winner of Honourable Mention for the Building Trust International HOME competition

Our design is representative of the socio-economic climate we live in today, it shows how forward thinking ideas can improve people's lives whilst benefitting our economy. The study conducted highlighted the importance of good design in creating vibrant living and animated public space for the community to enjoy, regardless of a restrictive budget. We found this study a highly rewarding experience and the result exemplifies what can be achieved through collaborative working - Gensler, Baquis & Atelier Ten.

Refer to attached document for further information

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ESTATE
£ 3 5 M



14 Winner of Honourable Mention for the Building Trust International HOME competition

Our design is representative of the socio-economic climate we live in today, it shows how forward thinking ideas can improve people's lives whilst benefitting our economy. The study conducted highlighted the importance of good design in creating vibrant living and animated public space for the community to enjoy, regardless of a restrictive budget. We found this study a highly rewarding experience and the result exemplifies what can be achieved through collaborative working - Gensler, Baqus & Atelier Ten.

Refer to attached document for further information

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SAVED 40,000 TONNES OF CO₂



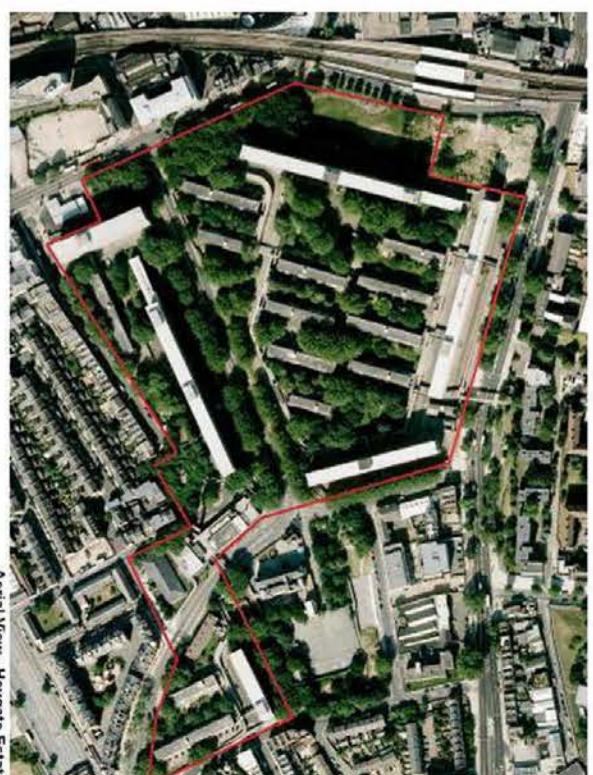
15th Winner of Honourable Mention for the Building Trust International HOME competition

Our design is representative of the socio-economic climate we live in today, it shows how forward thinking ideas can improve people's lives whilst benefitting our economy. The study conducted highlighted the importance of good design in creating vibrant living and animated public space for the community to enjoy, regardless of a restrictive budget. We found this study a highly rewarding experience and the result exemplifies what can be achieved through collaborative working - Gensler, Baquis & Atelier Ten.

Refer to attached document for further information

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SLUMS IN THE CITY....?



Introduction

Our proposal is representative of the socio-economic climate we live in today, it shows how forward thinking ideas can improve people's lives whilst benefitting our economy. The process highlighted the importance of good design in creating vibrant, living and animated public space for the community to enjoy regardless of a restrictive budget.

We picked a site near central London, it has 2.7 hectares of green space, 450+ mature trees with a range of mature fruit, nut species and allotments. It is the Heygate Estate and will be demolished to make way for a new residential development as part of a £1.5bn regeneration plan. It has been estimated that over £35m was spent by the local authority rehousing the existing tenants and over £25m buying out leaseholders.

'It's ridiculously expensive to knock estates down. After they've knocked them down, they're still paying for them. They were all built on the basis of a 60-year payback period. These are not dysfunctional buildings. If you invest in them, they will be perfectly fine. There's been this vogue recently for this kind of approach, which says, 'This is an awful estate, we give up, we can't manage it, what we're going to do is knock it down, redevelop it at three times the density and fill it up with owner occupiers who will be a good example to these feckless local authority tenants.'

Dickson Powers, former housing director of Peabody Trust

The primary aim of this submission was to design a one bedroom apartment for under £20,000. Our secondary aim was to carry out a high level study that could address existing issues on the estate within the same budget. We hope that the information within this study could be applied to over 3000 UK tower blocks that are in need of refurbishment currently.

To achieve this we as a team of Masterplanners, Landscapers, Architects and Interior Designers invited a Cost Consultancy and Environmental Consultancy to join the team to help inform the design decisions before us.

In summary for the £35m cost to the local authority to rehouse the existing tenants of Heygate Estate in slightly better accommodation to allow for demolition...

They could be living in a place called home!

ONE BED APARTMENT FROM £14K

BUILDING COST
Building cost allowances on the basis of the Building Cost Information Service. Taken to include:
premines, overheads and profit.



	Qty	Unit	Rate	Total
Superstructure				
- External Door; Sliding Folding Door	1 Item	£1,100	£1,100	
- External Door; Sliding/Folding Door [Balcony]	1 Item	£750	£750	
- Internal Partitions; Blockwork	46 m ²	£25	£1,150	
- Internal Doors; Painted Timber	2 Nr	£60	£120	
- Window; to Kitchen	1 Item	£300	£300	
- Window; to Bedroom	1 Item	£300	£300	
Sub Total				£3,720
Internal Finishes				
- Wall Finishes; 15mm Render; to blockwork; Painted	33 m ²	£25	£825	
- Floor Finishes; Hardwood Tongue & groove; on underlayment; 40mm screed	31 m ²	£60	£1,860	
- Floor Finishes; Epoxy Floor Paint	2 m ²	£30	£60	
- Ceiling Finishes; 15mm Render; to concrete soffit; Painted	34 m ²	£30	£1,020	
- Skirtings; Painted Timber	8 m	£15	£120	
Sub Total				£3,885
Mechanical & Electrical				
- Mechanical	50 m ²	£25	£1,250	
- Electrical	50 m ²	£25	£1,250	
Sub Total				£2,500
Steel Pod Construction				
- Kitchen	1 Item	£2,000	£2,000	
- Bathroom	1 Item	£1,000	£1,000	
Sub Total				£3,000
Fixtures, Furnishings & Equipment				
- Flexible Storage	1 Item	£150	£150	
- Telescopic Curtain Rail	3 Nr	£150	£450	
- POD; sliding mechanism;	1 Nr	£500	£500	
- Provision for Smart home /CT system				
Sub Total				£800
Building Cost Sub Total				£13,905
EXTRA OVER ITEMS				
Items that are over and above what would typically be expected for a standard build on which the above rates are based.				
GENERAL ITEMS				
- General Items	Qty	Unit	Rate	Total
PROFESSIONAL FEES AND DIRECT COSTS				
- Professional Fees				
CONTINGENCY ON BUILDING WORKS				
- Contingency @ say 10%				
TOTAL ESTIMATED CONSTRUCTION COST, SAY				
All costs are provisional				
Exclusions:				
- VAT				
- Contaminated soil conditions				
- Abnormal ground conditions				
- Asbestos removal				
- Phasing of the works				
- Any form of mechanical cooling				
- Any works to comply with party wall notices				
- Any works to buildings outside of site boundary				
- Any works to comply with planning or other statutory requirements				
- Client's direct costs; Legal, etc				
Initiation beyond 3Q 2012				
Based upon Gross Internal Floor area of:				
Approx Building Cost per m²:				
50 m ²				
278.10 m ²				
Included in Heygate Cost Plan				
Included in Heygate Cost Plan				
EQUITY:				
- All costs are provisional				

HAUTE HEYGATE PROPOSAL

BUILDING COST
Building cost allowance on the basis of the Building Cost Information Service. Taken to include:
preliminaries, overheads and profit.

	Qty	Unit	Rate	Total
- Strip Out				
- Strip Out and repair existing Public Spaces/Circulation, Façades, Lfts and the like - 20%	103.158 m ²	£10	£1,031,580	
- Substructure Remove concrete floor to create commercial unit, adjacent to balcony and to create public realm routes	1 item	£125,000	£125,000	
Sub Total				£1,156,580
- Refurbishment - GEA 103.158m²				
- One Bedroom Apartment (50m ² per unit)	20.632 m ²	£300	£6,189,480	
- 2% (78 Units)	3.920 m ²	£278	£1,090,152	
- Two Bedroom Apartment (approx 61m ² per unit) - 40% (771 Units)	47.040 m ²	£278	£13,081,874	
- Three Bedroom Apartment (Approx 74m ² per unit) - 10% (106 Units)	7.840 m ²	£278	£2,180,304	
Sub Total				£26,793,080
- External Works				
- Landscaping	1 item	£150,000	£150,000	
Sub Total				£26,943,080
Building Cost Sub Total				£26,943,080

EXTRA OVER ITEMS
Items that are over and above what would typically be expected for a 'standard' build on which
the above rates are based.

	Qty	Unit	Rate	Total
- General Items				
- Balcony Construction	925 Item	£400	£382,000	
- Glazed Balustrade to Balcony	935 Item	£250	£238,750	
Sub Total				£27,563,830

STATUTORY UNDERTAKINGS

- Incoming Services Provision @ say 15%
(subject to site surveys of existing
infrastructure and detailed design of
the scheme)
- Envac Waste System

	Qty	Unit	Rate	Total
- General Items	1 Item	£24,134.575	£4,134.575	
- Balcony Construction	925 Item	£400	£382,000	
- Glazed Balustrade to Balcony	935 Item	£250	£238,750	
Sub Total				£31,748,405

PROFESSIONAL FEES AND DIRECT COSTS

- Fixtures, Fittings and Equipment
- Professional Fees @ say 8%

	Qty	Unit	Rate	Total
- Fixtures, Fittings and Equipment	1 Item	£2,539.872	£2,539.872	
- Professional Fees @ say 8%			Exc ¹	
Contingency				£1,587,420
Contingency @ say 5%				£26,943,080

TOTAL ESTIMATED CONSTRUCTION COST, SAY £25,875,697

Based upon Gross Internal floor area of:
Approx Building Cost per m²: £ 364.08
Approx Building Cost per One Bed Unit: £ 18,303.93
Approx Building Cost per Two Bed Unit: £ 22,330.79
Approx Building Cost per Three Bed Unit: £ 27,089.81

Assumptions

- All costs are provisional
- Exclusions:
 - VAT
 - Contaminated soil conditions
 - Abnormal ground conditions
 - Asbestos removal
 - Prosing of the works
 - Any form of mechanical cooling
 - Any works to comply with party wall notices.
 - Any works to build out outside of site boundary
 - Any works to comply with planning or other statutory requirements
 - Client's direct costs, legal etc.
 - Initiation beyond 3Q 2012



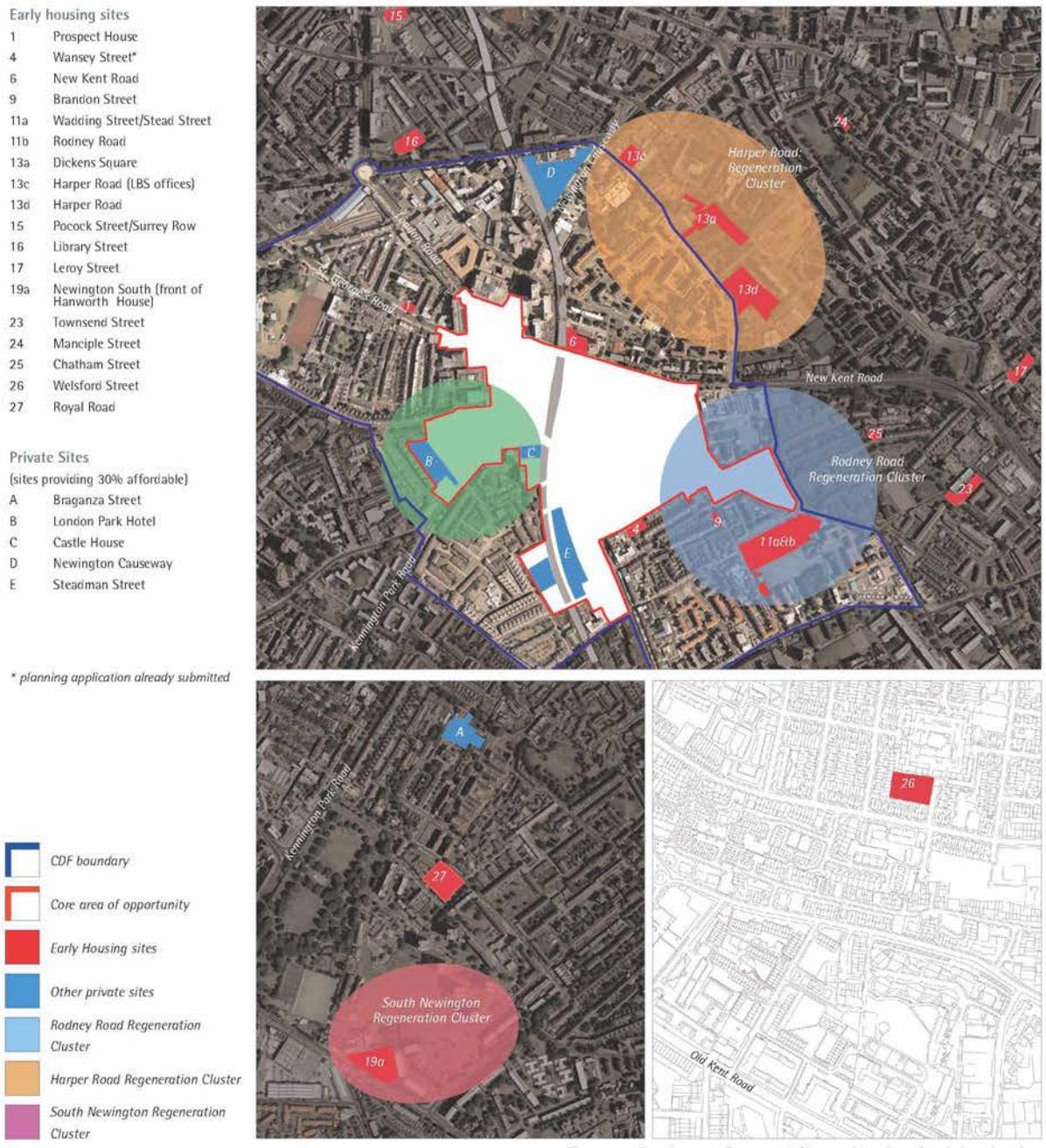


Figure 3.3 : Development Framework Plan 1c: Location of early housing sites

Heygate News

The regeneration of Elephant and Castle was given the green light by Southwark Council's Executive Committee on February 19th when the planning guidance for the redevelopment was formally adopted.

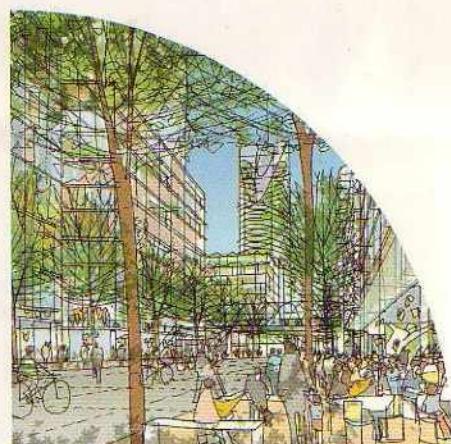
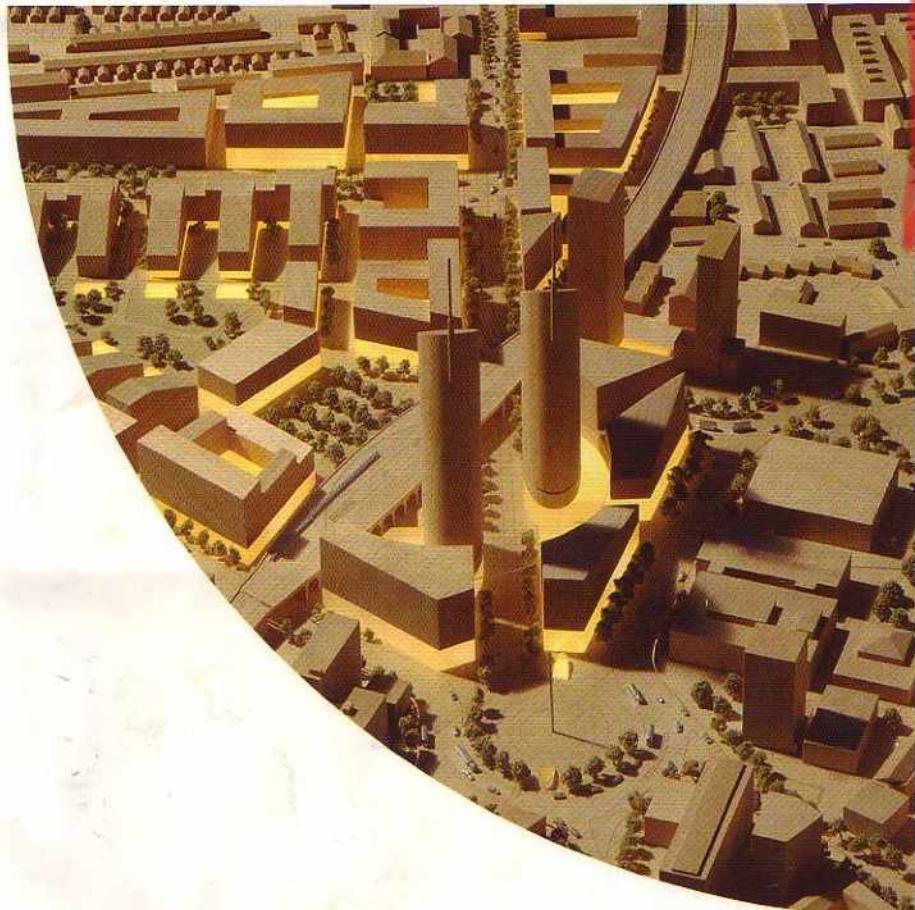
This is a long awaited and important milestone for Heygate residents who have been consulted for years and are yet to see any real action. This finally gives you, the residents, a certainty that the regeneration and rehousing plans are now planning policy and that Southwark Council will work with you every step of the way from now until you move into brand new homes in a revitalised Elephant and Castle.

Copies of the planning guidance can be downloaded from our website at www.elephantandcastle.org.uk or by calling 020 7525 4922 to get a CD-ROM posted to you. There will be hard copies available for you to look through at local libraries, Rodney Road Housing Office and the offices of Elephant Angels, situated on Heygate Estate. An exhibition will also be held at the Heygate early this year.

For those of you who are tenants, the confirmation means the plans to demolish the estate and offer you a brand new Housing Association home in Elephant and Castle, or an existing council flat elsewhere in the borough are moving forward.

The situation is different for those of you who are leaseholders. You will be offered market value for your houses and a range of options to assist you to buy one of the new homes if that is what you wish to do. We have already discussed these plans at leaseholder meetings and will continue this process as set out in this newsletter.

Please read this newsletter carefully for details on how want to work with you throughout 2004 and about the range of opportunities there will be for you to become more closely involved. ▀



Item No.	Classification: Open	Date: February 8 2005	MEETING NAME Executive
Report title:	Elephant & Castle Leaseholder Policy		
Ward(s) or groups affected:	East Walworth Heygate Estate Leaseholders		
From:	Strategic Director of Regeneration Strategic Director of Housing		

RECOMMENDATION(S)

1. That the Council adopt the policy set out within this report in relation to Leaseholders on the Heygate Estate subject to the terms outlined in paragraphs 18 to 27 of this report.
2. That Officers put the policy into effect with leaseholders on the Heygate Estate; in the case of the comparative value scheme outlined in paragraph 27, further Executive approval to be sought if more than 20 transactions are required.

BACKGROUND INFORMATION

3. The proposals outlined in this report are in support of the regeneration of the Elephant and Castle. The proposed policy is a new approach to Leaseholder issues and relates only to the Heygate Estate, which is central to the regeneration scheme.
4. The proposals follow a series of Council decisions in support of the overall programme which was initiated by the Executive decision of 23rd July 2002 "A fresh start for the Elephant and Castle". In summary the Council has since that date approved the following matters;
 - An initial survey of public attitudes towards the Elephant and Castle and the prospects for its regeneration.
 - Publication of initial framework for development establishing the Council's general objectives for achieving comprehensive and sustainable redevelopment of the core area.
 - An extensive programme of in depth consultation and opinion testing accompanied by an intensive technical testing and development of the framework.
 - Initial scoping of the early housing programme including identification and consultation upon possible sites.
 - Adoption in February 2004 of the revised, detailed framework as Supplementary Planning Guidance.
 - Approval in July 2004 to proceed with procurement of RSL partners to develop the early housing sites.
 - Approval of commencement of Commercial Partner Selection process.

17. This impact may be particularly felt by retired persons who may have paid off a mortgage, and have no means to raise further finance. It is clear that some provision should be made for leaseholders in pursuit of the policy aim that people in the area should benefit from the regeneration scheme.

Options for Leaseholders

18. The following options have been considered in respect of the re-housing of leaseholders with provision either through the private sector, RSLs or the Council:-
- Buying a property on the open market
 - Buying a shared ownership unit
 - Buying a retained equity unit
 - Comparative value transaction
 - Becoming a tenant within one of the new early housing site properties or within the Council's existing stock

These options are explained in more detail in paragraphs 24-27.

19. All of the foregoing with the exception of (a) would be over and above the statutory minimum requirement on the Council as acquiring/housing authority. Option (e) is the default position within the decent policy for resident leaseholders who cannot afford to buy an alternative property. Options (b) and (c) are intended to meet the aspirations of Heygate leaseholders who wish to remain in the area with a property ownership interest. Option (d) would make provision for leaseholders who wish to stay in owner occupation in an equivalent value property in the borough. Therefore it is recommended that options b) to d) should only normally be provided to leaseholders who meet the following criteria:-
- That the lessee acquired the property either by way of Right to Buy or on the open market prior to 19th February 2004 (this being the date that SPG for the Elephant & Castle was adopted by the Council)
 - That a party who is in the process of acquiring by Right to Buy submitted their application prior to 19th February 2004 but complete after that date.
 - That the leaseholder must be in actual occupation of the property for at least 1 year prior to the acquisition of the property.
20. It is considered that the introduction of these conditions is justifiable as it would prevent re-housing assistance from being directed to persons who have sought to benefit from the Council's intention to proceed with the decent of the Heygate Estate. The Council's intentions to develop the estate have been widely advertised through leaflets, newsheets and letters as well as more exposure in the local and national press and comprehensive consultation exercises. It would mean assistance, if made available, would be properly directed towards residents of the local area who have opted to hold a stake in the area before the regeneration was formally declared.

Amber
1/12/00

Revised
1/12/00

Amber 3.36
1/12/00

0660
Amber



Edward Payne & Veness
 16 Croham Road
 Croydon
 CR2 7BA

Property Services
Direct Line 020 7525 5626
Email Patrick.McGreal@Southwark.gov.uk
Date 11 December 2012

Without prejudice

Dear Mrs Veness

49 CUDDINGTON WALWORTH

We spoke about this property last week and I followed up our conversation with a letter dated 3 December asking if your client is prepared to enter into meaningful negotiations for the surrender of his leasehold interest. I am mindful that you advised this time last year terms were agreed but your client without explanation did not proceed with the surrender.

On 4 December 2012 I received the attached email from your client. This came as a surprise because as his instructed surveyor I would expect such correspondence to come from yourself. In accordance with standard professional etiquette I will not respond directly to your client but to you.

This email suggests to me that your client wants the consideration for his property established by way of mediation. My Council is generally supportive of mediation as a means of resolving disputes without reference to the formal court structure. However I do not consider mediation is appropriate for determining consideration under the compulsory purchase code. I am sure you will agree the application of the compensation rules is very complex and involves abstract concepts such as the *no scheme world*. There is of course a considerable amount of case law to which regard must be had. In the light of these technical complexities, the Council is of the view that if an amicable agreement cannot be reached the interests of both parties will be better served by a determination of the Upper Tribunal (Lands Chamber) rather than the use of mediation. As Mr Glasspool's professional advisor I shall be obliged if you will explain this to him.

I should however respond to you in respect of a number of points in your client's email appendix.



Southwark
WEEKENDER

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'I DON'T WANT A PALACE' SAYS EVICTED TENANT

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24 June 2010

John Prendergast
johnp@southwarknews.org

A secure tenant has been evicted from her home on the Heygate Estate after losing a court battle to stay in her home.

Amelework Gete, known as Amelia, (pictured), has lived in Swanbourne since 1995, first as a temporary tenant for eleven years before gaining a secure tenancy in 2006.

For the last two months she has lived with no boiler, which she says has affected her health, as she suffers from a bronchial complaint, but she was finally forced out of her home on Monday.

She admitted she had been given five direct offers by housing officers, but when asked why she refused them she stated they did not meet her requests. After subsequently

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taking on the council in court she finally lost out this week.

She told the 'News': "One of the housing officers said to me that I am looking for Buckingham Palace, and told me I won't get that. But I am not looking for Buckingham Palace - I just want somewhere nearby which is near my friends who support me.

"They think I am fussy, but I am just worried about my health so this is all I am after." Amelia spoke to us during her eviction and told us she was being moved to a property in Congreve Street, that she had turned down previously.

Cllr Ian Wingfield, the Cabinet member for housing, said: "We don't want to do this and it is an absolute last resort in this particular case. We go to great lengths to find alternative permanent accommodation for people on the Heygate, help with removals and we give them a home-loss payment.

"However, it is preferable for people to accept one of the many suitable, permanent homes we have offered them. There are always one or two individuals in this situation who are determined to stay put whatever the council offers. The fact that thousands of residents have been successfully re-housed tends to be overshadowed by one such case."

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GIVE US BETTER CHOICES SAY HEYGATE RESIDENTS

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10 March 2008

By John Prendergast

Tenants on the Heygate Estate are accusing the council of not having enough decent homes for them to move into, as they steam ahead with the £1.5billion Elephant and Castle Regeneration programme.

The estate is being emptied in phases, and as each block is tackled, tenants move to Band one, which gives them top priority when bidding for new homes through the councils Homeseach system.

Jerry Flynn (*pictured*), who lives in Cuddington, who are in the second phase of the decant, said: "We are effectively competing against each other now. As we have moved into the Band one we are just finding people on Kingshill and other blocks are ahead of us. So we have no chance of getting anywhere and our six months is ticking."

Each resident has a six month period to find a property on Homeseach before the council will issue them with a once and for all offer, which if not accepted will see the council issue eviction notices on tenants.

One resident on Kingshill, who didn't wish to be named, said: "I have bid for properties through Homeseach and thought I would be the top priority, yet I was beaten by someone who isn't on the estate and has been on Homeseach since 2005, so it's not just each other we compete against, it is those who have been on Band one for a while."

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"Another property was in an area that was so awful; I didn't even go in to look at it as I knew I would not move into there."

Residents on the Kingshill and the Swanbourne have now been issued with letters stating that their final offer is due, and that the Kingshill will need to be cleared by December this year.

Helen O'Brien, who also lives on Cuddington, said: "An elderly friend of mine got this letter and saw words such as issuing notices to eviction notice, and it really upset her. Yet the council are insisting on sticking to this timetable, whatever happens."

Mr Flynn added: "It is the only part of the timetable they have stuck to."

Originally tenants were supposed to be moved to new builds on sixteen sites. As yet planning permission has not been gained for any development nearly three years after Landlords for the site have been appointed, this has meant people will now have to move twice if they wish to have a home on one of these sites.

Wendy Worrall, who lives on Swanbourne, said: "We did not ask to be moved, yet we still have to and we are just not being treated with any decency and respect at all with this."

Cllr Kim Humphreys, Southwark Council's executive member for housing, said: "We have already helped 110 households to find new properties and the feedback we've had from the overwhelming majority of residents has been positive. All Heygate tenants have been assigned a case management officer to provide as much support as required to make this process easy and stress-free for residents."

He added that Southwark had the largest housing stock in London and in each week there were plenty of properties available through Homeseach, and as Heygate residents were band one they had top priority in the bidding process.

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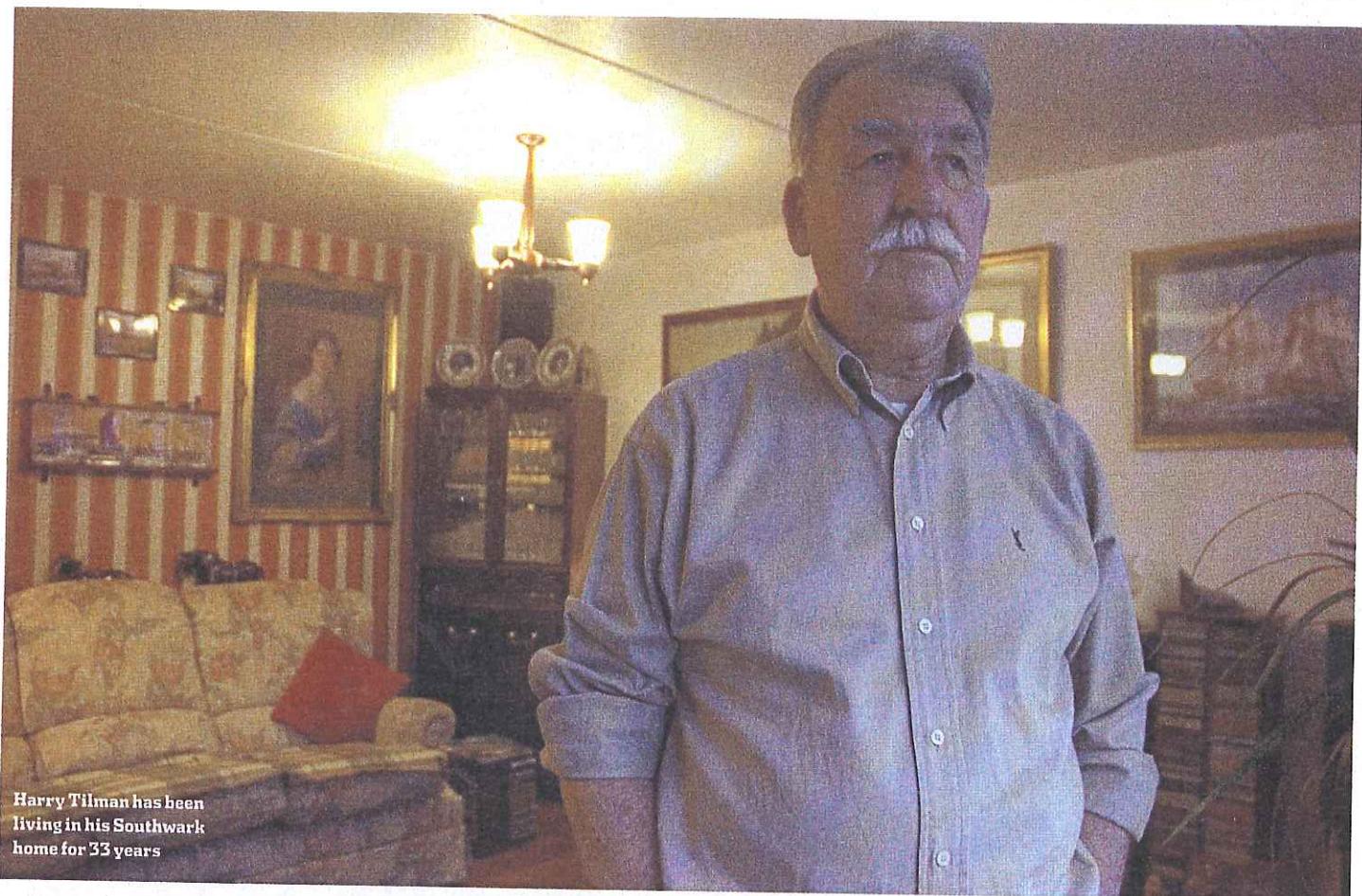
Comments (4)

 1. At 09:31 PM on 12 Mar 2008, Irene wrote:

I think this system is not fair for those people who are bidding for 4 years through Southwark homeseach. Everybody wants decent housing, not only those who needs to move out of Heygate. I think council should make a better provision for both group of bidders-those who needs to be rehoused from Heygate and long term suffering bidders from general council nominations.

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NEWS: HOUSING



ONE LAST FIGHT FOR ELDERLY RESIDENTS FACING EVICTION

BY SALLY FITZHARRIS

Harry Tilman places a book on Winston Churchill back on his shelf between Montgomery and Nelson. "He's a great man," he says.

Mr Tilman, formerly of the Queens Royal Regiment, white-haired and 80 years old, has fighting heroes. He may need them.

Southwark Council has told Harry to get out of his home of 33 years because the land is needed for development.

"Who has the right to say to me, 'We want your home, you've got to go?'" he asks, looking on with pride around his front room, with its regency-stripe wallpaper and picture of the Battle Of Trafalgar.

In the neat rows of maisonettes central to the Heygate Estate, his neighbours are asking the same question. The estate, a mixture of concrete high-rise and maisonettes that replaced tenement buildings razed in the late-sixties, has been home to the community since the early 1970s.

About half-a-mile south of London Bridge, it is a prime location: at stake is a £1.5 billion regeneration scheme billed as 'the largest in Europe'.

Property consortia Lend Lease, Oakmayne and First Base have joined with Southwark Lib-Dem and Conservative council to give a makeover to 170 acres around the Elephant And Castle, notorious for its ugly landmark shopping complex, but close to the City and Westminster.

Residents were first promised that they could move out to new-build 'affordable' housing close by.

Now the council regeneration executive, under pressure to complete a deal with its commercial partner Lend Lease, has passed a resolution to empty the estate by September 2009, two years earlier than planned.

Not one of the much-advertised 16 housing association sites in the area, designed for Heygate residents, has been built, and tenants have been told they must find their own temporary

accommodation outside the area.

Despite a written commitment by Southwark Council leader Nick Stanton, most believe that they will never be allowed to move back. "The council has lied to us so often," said a long-term resident, fearful of giving her name, "we don't trust them one iota".

"I dread this stuff being moved," says Harry looking at his bookshelves. Some of the places I've been offered to live, they're so 'boxed off'. I have one spare room here, but my grandchildren come and stay. It's grandad's home."

'Home' and 'family' are words you hear a lot on the Heygate. The long-term residents who grew up in pre-welfare state Britain look after each other and take nothing for granted.

"We were poor," says Harry. "Not hard up, extremely poor. If you wanted something you had to work for it. But I always promised myself that when I had a family I'd get a decent house."

Another resident, Mrs Margaret Burke, said she had worked hard for her home, and was proud to live there. She said: "All the years I have lived on this corner I have never had an ounce of trouble. I think it's a wonderful place."

Mrs Burke is a leaseholder and

the council has offered £130,000 for her roomy three-bedroom maisonette, which has small terraced gardens at the back and front. "You couldn't buy a toilet for that," she says.

The council claims that they have brought forward the moving date in the interests of safety, since empty flats attract squatters and drug crime: "Dragging it out is painful for everyone," said regeneration executive councillor Richard Thomas. "People have been begging us to speed up the process."

But at a recent meeting of tenants and leaseholders, all bar one voted to oppose the council, according to Kevin Morgan, chairman of the Tenants And Residents Association. "Nobody is in favour of the two moves," said vice chair Mrs Doreen Gee. "We have many elderly and frail. This will traumatisate them."

Resident Maureen Stapleton says the houses "are being built for yuppies, not for the likes of us". She is worried as to how her 70-year-old husband who suffers from angina will survive the two moves.

For Mr Tilman the betrayal is personal. "I'm not political but I canvassed all over this estate, stood outside the polling booth with a rosette on. The Lib Dems said 'Give us a chance' so I did."

We'll fight to stay put until the Heygate replacements are ready

By John Prendergast
 johnp@southwarknews.org

HEYGATE ESTATE tenants have begun to dig their heels in about being moved off the soon-to-be-demolished estate and have asked the council to slow down the decent process until the new homes they want to move into are ready.

Representations made to the Overview and Scrutiny Committee on Monday were rebuffed by the Executive Member for Housing Management, Kim Humphreys, who stated that the estate would not be safe enough to leave the remaining people there. They were beyond the tipping point in terms of community safety, he said.

The council plans fully to decent the estate as part of the area's regeneration plan by September next year, and despite no signed agreement with development partners it insists it will push ahead with the decent.

The residents were promised that they could move directly to new homes in 2003, but when the new homes did not appear they were informed they would have to move into a temporary home first.

Responding to a request to revisit the timetable for removing residents Cllr Humphreys said: "In terms of those that have been left behind it

would be unsafe to allow them to remain. As the estate empties we would be remiss as landlords if we left them to stay."

Currently the estate of 1,100 residents has a quarter of its secure tenants and leaseholders left, along with an unspecified amount of temporary tenants who, in some cases, have lived there for up to eight years. However, speaking to remaining residents on the estate this week the 'News' found that their concerns were focused on the difficulties in finding a new home on the council's Homesearch system.

Rose Farin (*pictured left with Dennis*), 68, who lives in the Cuddington block, said: "They're offering us old council stock that no-one else wants. Southwark Council are treating us like crap. There's a new block near the Town Hall, but there's only twelve people from the Heygate in there and the rest were key workers. At our age, it's a disgrace. We'll stay here if we have to and fight them in court. If we're the last people here, we'll hold out."

Another resident, John Hayes, 82, said the stress was causing him and his elderly wife great distress. He added: "They promised us brand new houses, but they won't be completed until 2010, maybe even longer with all this credit crunch. The stuff in the Homesearch brochure is rubbish."

The latest issue of Homesearch has

41 properties available to bid on throughout the borough, with statistics in it showing that for the 33 properties that were available in the previous issue, 2903 bids were received from residents in Southwark.

Pete Mason, 71, said: "We're not getting priority in the system; Heygate people aren't getting first refusal on properties. We don't want to be uprooted in our 70s. Heygate has been a good estate. There was some trouble in the late '70s and early '80s here but that was it. Over the years, the kids have been brilliant. The papers make a big fuss about it, but the Heygate is not a slum."

Cllr Fiona Colley, who chaired the scrutiny committee, voiced her concerns that the estate would stay empty for years if the decent went ahead with no agreement with developers in place. She said: "The last thing we want to do is have a big pile of rubble in the middle of Walworth for years. It was disappointing when they (Cllr Noble and Humphreys) said they didn't want to slow the decent down.

"I think there is still an opportunity to talk to people and rethink but they seem to be hiding behind the issue of community safety now."

The regeneration scheme is estimated to cost £1.5 billion pounds when it is completed, and will involve demolishing the shopping centre.



Interview - June 2010

It was a very nice estate when we moved in - really nice. And for a good many years it was a really desirable estate.

We had a few squatters who were dealt with very quickly, but it's only in these last years since the regeneration has been going on that we've had a real bad problem with squatters and drug dealers.

People used to ask to get on this estate it was that nice. And there was no trouble. As far as crime was concerned **it had the lowest crime rate of the area.**

There was a big mix of people: all the time we had more and more different nationalities coming onto the estate, and everyone just got on with their lives and got on with the neighbours. You could find that the neighbour next door might come from Africa, Eastern Europe or Latin America – and they were people who would actually look after the older people as well. So it was nice and everybody seemed to be there for one another to keep an eye on one another.

It wasn't a lot of communities within a community: rather just **one big community; and it got destroyed by the regeneration.**

We had some very good neighbours here. In the flat next door I had a Filipino family and they were very kind to everybody. The woman who lives there Murna used to look after the old lady next door and make sure that she was okay; and on the other side there was a guy living there who if anyone needed any help you only had to call on him and he'd be there. Everybody looked out for everybody else. Until this regeneration thing started up, which was all right to begin with and then it started breaking down.



People didn't want to move because they liked the estate. They liked the flats, they liked the maisonettes. Particularly in the maisonettes they didn't want to move. But as the regeneration went on - this is the third set of development proposals that we've had - people started to be moved out and properties were left empty. People started thinking '*well I don't like it like this, I'd rather move somewhere with a nice settled community again.*'

And when you're left with just a few of us as you are now it's not nice to live here on your own, and it has been left to deteriorate. In fact, **the council has not done any scheduled maintenance to the properties on this estate since 1979**. All they've ever done is really fire-fighting: if there has been a problem they have dealt with it. Quite often only after a lot of complaints, and a lot of hard work from the TRA getting them to deal with things. It seems like they knew back then that they were going to do something with the estate like pull it down... **They've always had these plans in mind I think.**

It has really badly affected me and it has affected other people as well. It is not a good situation to be in - not for anybody. Plus it's a well known that when you're moving people who are elderly and a bit frail - that **there's going to be a quite a high death rate**. The neighbour along the landing here - she wasn't well, and I remember she said to me '*well I'll never move out of here I'll be dead before I do.*' She had given up - she actually did die: about two years ago she died. She couldn't cope with all of this even though she had family living down in the maisonettes. I think she just gave up in the end.

We have got the council people all the time saying '*you've got to find somewhere you've got to move, you have no choice you know you have to move out.*' We get bullied, we get threats - **'We'll take you to court if you don't take this property we'll take you to court.** Oh this is suitable therefore - if you don't accept it you'll go to court'. It's not fair to do that to anybody of any age - particularly if people are old and vulnerable.

We hear '*oh yes we're going to do this for you and that for you.*' And it didn't happen and it's, '*oh yes you must understand this council's got to do this council's got to do that.*' You know, and '*if you don't move this will happen, and that will happen and you'll end up with no where to go and find your own property somewhere else*', which means going out on the open market. Which they know you can't do if you're on a limited income. The properties they built across the road, the private ones, they start at £250 a week rent - well... People like myself can't afford that. There are some of us locked in to a position where we can't get any housing benefit because we're just above the limits but when you're only just above the limits it means things are very very tight. **So you're between a rock and a hard place.**



The only times we get knives or guns on the estate is when they're filming 'The Bill' or when they're filming other films. We used to have a youth group over on the shops who would do some filming and they quite often had mock fights with knives. On one occasion a group got reported to the police saying 'there's a gang on the estate fighting with knives!'. The sirens came, the police turned up and it was actually this youth group filming!

I used to be able to walk through this estate at 2 or 3 'o' clock in the morning on my own in the dark and not have a single worry. Not until we got the regeneration deterioration during the last few years.

I feel quite angry when people call the estate a slum. It's not a slum and it never has been. It's run down because of the regeneration. **It's the council's fault for allowing it to deteriorate and they've not helped by going in and destroying the gardens** in the maisonettes and pulling up all the fences: just throwing them down anywhere; pulling up all the plants and everything. They didn't need to do that they could've left the gardens as they were until the developers move in with the bulldozers. That would've made the estate look reasonable. But since they've done that they have made it look a lot worse. The majority of people who have lived on this estate would never say it's deteriorated into a slum. They would blame the council for allowing it to deteriorate the way it is. And helping it to deteriorate the way it is.



When it's rebuilt it's going to be drastically different because - I said this many years ago: you will either have people with a lot of money living here, who can afford to buy, or you will have people who are on full housing, council tax state benefits, because they'll be the only ones who can afford to stay if there's any social housing. If they are going to have to pay something like £250 a week rent then the state will be paying it

so one way or the other they will be able to stay. But other people in between that bracket won't be able to stay; so you'll basically get rich people and poor people but nobody in between. And what they're trying to do - what we were told once at the beginning of the regeneration - what they are trying to do is '**introduce a better class of people to the elephant and castle.**' We were told this by a council director who's no longer with us, who left some years ago [Fred Manson]. '**A better class of people**'. Well I said '**you can't get a better class of people than us.**'

The replacement the council is envisaging are shops and on top of that will be private homes. And the bit in the middle will be a park. Now they're saying that the park will be a public park which we all doubt, because if you've got all the private homes built around it those people aren't going to want just anybody going in that very small area that's going to be the park - **they'll probably try and keep it private for themselves.**



Personally I very much doubt it. I very much doubt that this side of the Heygate estate will ever be social housing: it will all be private. Because it's got the shopping centre nearby it's got the two main roads - it's got all the facilities for the buses the transport. And this was something we were told at the beginning: the reason they wanted to redevelop the area and the shopping centre was because it's got all the tube facilities, the bus and the train facilities - we're close to all the mainline stations. When the council guy had finished talking about this at one of the meetings - it's the same one who said they wanted to attract a better class of people - I said to him '**you've just listed all the reasons why the people on the Heygate estate want to stay here.**'

We are all being pushed off the estate - most people in the maisonettes didn't want to go because it's like a little village there. A lot of people in the flats didn't want to go either - all they wanted was renovation.

Written Testimony - Helen O'Brien, Heygate Resident 1974 - 2009

We moved to the Heygate in 1974, when it was first built. I lived there for thirty-five years. We lived in one of these old places in Danson Road before that. It was awful: we had no hot water, no heating, you had to go to the public washhouse to wash things, and to have a bath; had to boil water on the gas cooker. The walls were crumbling. We couldn't get over it when we moved to the Heygate. It was lovely: hot water, bath, you could plumb in a washing machine, there was a patio where you could put your washing out. We all had a bath the first night – not together!

We had a three bedroom maisonette, on the top floor. It was right opposite that big block, Ashenden. That kept a lot of the noise out. When we first moved there, everything seemed so hemmed in. When you think about it, there were hundreds and hundreds of

people living there, we weren't used to it.

We were very annoyed with how the council dealt with the regeneration. We didn't want to leave, a lot of us didn't want to leave. I miss the people from the Heygate, the friendly nature of the people.

It was on 24th October 2008 that we received our 'notice to quit' a notice seeking possession of our home by Southwark Council. We had dreaded getting this letter, even though we had been expecting it. Having lived on the estate for so many years, we couldn't believe that Southwark Council were forcing us to give up our homes even though we were secure tenants, to make way for private developers.

I started to worry about where the council would put us, who our neighbours would be and how we would get through the actual day of moving. When should we start to pack all of our treasured belongings, books, paintings etc.? What about our furniture? What should we leave behind?

I kept telling myself not to worry and to be positive, but I knew that wherever we ended up we wouldn't be as happy as were on the Heygate. I keep remembering what Fred Manson [Head of Regeneration] said some years ago - "*Get rid of the working class from the Elephant & Castle and bring in middle class people.*" Well it seems as though his wish is coming true.

We have spent many happy days on the Heygate and a few unhappy ones. My fondest memory is of the party we organised in 1977 for the Queen's Jubilee. Everything took place in the Statue Garden. We put bunting up early in the morning and organised tables and chairs for the children's sit-down tea party - 300 children attended. Local shops gave food, drinks and prizes. Gilford's bakery made an enormous cake. There was a true sense of community spirit that day, with everyone mucking in. And what of that spirit now? What was once a thriving community has now been scattered all over Southwark.



And what of the new housing that should have been built 2-3 years ago for us? We still can't get a straight answer from the council why it was never built!

Then, to add insult to injury, we were sent letters inviting us to attend classes organised by Southwark Council on how to cope with stress!!

I lived on the estate with my family for 34 years, half of my lifetime. I have never been in arrears all that time. I worked as a teacher and have devoted 30 years of my life to the community and was honoured for this work with a civic award in 2004.

I am very angry and insulted. Southwark's Elephant regeneration plans are a miserable failure. Everyone who has worked on the regeneration at the Elephant should be thoroughly ashamed of themselves.



We were among the first to move on to the estate in 1973. It was lovely, we knew all our neighbours and everybody was friendly. We had 5 children; they were all friends with the other kids on the estate. Enid's children grew up with mine as well so it was a real community. Larry's sister lived opposite and his other sister lived in the Kingshill block. His mum when she was alive first lived in the Claydon block, then she moved to the sheltered housing in Kingshill. So it was a real community: nearly everyone knew everyone else; you weren't in each others pockets but you knew people.

Then eventually towards the end I think they just ran it down into disrepair. People moved out, other people moved in and gradually you lost that community feeling. It's very sad. We've all been made to move away so we're hardly going to see anyone now.

My close friend she lived in the block opposite and she died last year of cancer; she never even got round to moving. She was so stressed about the fact of moving and I don't think it helped really. It's so sad when you lose the sense of community in a place it really is.

Some people look at the place and say its a dump. but it wasn't a dump when we moved here. Compared to what we lived in before: when you think about Munton Road. I mean some people said the old buildings were better, but washing in a sink? with a scrubbing board? You don't want to go backwards you want to go forwards!

We considered ourselves very fortunate to have a place like this, and we are sad about leaving it. It's a concrete jungle to some people, but when I looked out of my kitchen window when I was busy washing I could see all the pink blossoms. It was like being in the country when you look out of your window. So it has never been a concrete jungle to me.

Finding a new place has been a terrible, stressful nightmare. Because when you bid for a place you're bidding against the whole of the borough, plus there are about 300 people on the estate here, and for the best flats in the book you had about 200 people bidding for them. Then when you phone up you're number one on the list, but you look an hour later and you're number 5 or number 27 - it's a real waste of time. The first 3 people get the chance of viewing the flat and refusing it. We were number 170 one time! Then they came and offered us a property and said this is your final offer. We received a threatening letter and we had only been offered one place. We were entitled to view three properties and they only offered us one and said you will have to take it, this is your final offer.

It was in Peckham right near a main road and with damp, cracks in the walls and mildew. It was very small and we wouldn't have been able to take anything with us.

None of us in the maisonettes wanted to move. You can't blame people that lived in the tall blocks when the lifts started breaking down etc. The people living in the tall blocks they were shut off. My sister lived over in Kingshill. She was living on the 11th floor and had no lift for 18 months because the council refused to repair the lift. You imagine bringing your shopping up 11 floors. There's an old dear in kingshill and she has had no lifts for ages. She only goes out once a week and then she only gets a few bits because she can't carry it up the stairs. Half a day to get up and down the 11 floors of stairs when you're old.

When they did the survey about people wanting to move off the Heygate, they only did the survey of the people living in the tower blocks. Nobody ever came to us in the maisonettes and asked if we wanted to move. Of course they're going to have the overall vote, because you get more people in the tower block but none of us in the maisonettes wanted to move. Larry's sister opposite was in tears and all. She really didn't want to move. It has really affected us. Everybody here looked after their own backgrass and the neighbours. Everybody used to be out the back garden, talking to each other. We had Len next door, Mrs Hayes down below. Flo used to shout over to me from the window. It was a lovely community, and now its sad cos we're all being scattered.

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We were annoyed about what Michael Caine said. He made a film here[Harry Brown]. He said it has always been a slum, but he didn't live here - he never even lived in the area.

To knock it that they were slums and that the children would never come to anything living on places like this. I have got five children, one of them is a pharmacist, another one is an engineer, another is a mechanic, Sarah's been through university. My children came to something. So what right does Michael Caine have to say children won't amount to anything on this estate.



I think the new places will be for city people: people that can afford it, but I don't think we'll live long enough to see.

The truth is that's probably why the community as it was liked this area: because it was central to everything; you had all your shops, the tubes, the trains the buses. We didn't have to go far for anything.

I think it'll be 2020 before there will be anything built here. I think the bones will be stripped by then and I think we'll all be gone by then.

I would like to see what they've done with it but our children will see it, not us. We'll be pushing up the daisies by then.

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Written Testimony – Elizabeth Grace, Heygate resident 1974 – 2009



I moved into the estate on the 4th July, American Independence Day, 1974. It was like heaven, and I mean that. Once all the families started moving in and they had similar age children, it was absolutely beautiful. The children played out together in the evening when they came home from school and once the homework was done. It was lovely because you could see the children play happily outside. They all mixed well you know, because children were children in those days.

It was like moving into a village: there was a great sense of community and you knew all your neighbours. You knew everybody and you got to know them by name. You had a huge huge sense of being one big happy family.

And then there was the decline of the estate: in 34-years Southwark Council redecorated the outside of my house once in all those 34 years. On at least a five-yearly basis you normally need to be looking after the paint-work on the outside and painting the front door. And that's the bottom line – the properties just started to decline as money was not being spent.

The only reason, in my opinion, that this estate is coming down is that this land is worth millions. Millions to who? The developers? To Southwark Council? Also it is a policy, I believe, that all councils in due course will get rid of social housing. And hey presto do you know they got rid of almost a thousand two hundred properties in this area over the last two years. So who's going to build on here? Who's going to buy the properties? You know, it's people who work in the city who have got the money – or the likes of those footballers – and that's Southwark Council's claim to fame – oh you know John Terry – he's brought a property across the road. He has – it's his pension fund: they buy them to rent them out. They're certainly not for the working class.

I believe at one stage they were even going to change the name of the Elephant & Castle to something else – I can't remember now. Yes, they were actually thinking about changing the name of the place because the Elephant & Castle was too common.

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When people were being moved off the estate all I thought of was "*I hope I'll move soon. I hope I'll be offered something that's suitable to me because I don't want to be the last to move off*". That would have been the most petrifying thing to happen, with my daughter and my granddaughter because we were all women in the house. There were times that I was actually taking medication for my nerves because that's what it did to me. The not knowing of if you're going to get a suitable property – not knowing are you going to be here right to the end. And there were a couple of times that I thought what's life all about? You know – I'd be better of dead. And I think that a lot of people went through the same experience. But then you pull your socks up and say come on you shouldn't think like that and you just keep going. And thank god I did.

I don't know what life is like on the estate now. I don't even want to imagine what it's like for those poor people left behind. Like poor Mr and Mrs Tilki who lived next door at 49 Chearsley - they still do. I went back to see them recently - I can't bear to go back and see them again. They're both in their 80s. And it makes me feel in a way a little bit like a traitor. That they were so good as neighbours and we looked out for one another. To see them in their early 80s completely destroyed by this enforced move. They're leaseholders; now at the age of 83 who's going to give you a mortgage? Nobody! So I don't know what's going to happen to them and that's the bit that's the coward in me - I think I can't go back and talk to them because all they do is cry. The date we moved out Mr Tilki came next door to see me for one last time and he just broke down. You know it's sad sad sad. I wish I could take them to live next door – where we're living now. That's the great respect I have for that family.

Most people only spend a short period of time in their home: they might buy 3 or 4 houses in their lifetime, but we lived there for 35 years, four months, and twenty days. That's a lifespan to a lot of people, and then to be forcibly moved out of it. Why? because this land is worth millions. They want to get rid of the social housing and build properties for the rich, like the famous Strata Tower across the way.

What they should have done is kept these properties and kept them up to standard. But then of course you see it would all be social housing, and that's what they definitely want rid of.

There were a large number of elderly people living on the estate, many in the sheltered housing unit. They were collected by ambulances and their clothing and belongings in black plastic sacks. They were sent all over the place to different nursing homes wherever there was a vacancy. I believe a lot of them went to Camberwell but I don't know where the others went to.

I remember the day that we moved out my daughter was with me, and the council make you sign to give up your tenancy. I had decided I wasn't gong to be a council tenant any longer and move to a housing association property. So one of the rules is when you vacate a property that you hand back all sets of keys.

My daughter didn't want to: she said '*mum they're my memories*'. She never wanted to move out anyway. Well I thought at one stage she was going to hit me, because I said '*I must have the keys to give to the housing officer*'. She literally threw them across the kitchen and went out screaming. That's how it has affected us. And to this day my daughter cannot bear to talk about 50 Chearsley, and she's in her forties. I certainly won't be visiting 50 chearsley again, that's for sure – I would rather run a mile, and that's almost impossible with my spinal problems.

Written Testimony – Terry Redpath, Heygate resident 1974-2008



Like so many other residents, my Heygate experience was a feeling of being totally duped, misled and lied to.

Many like myself, are perplexed by the so called independent survey which inferred that the majority of the 400 people surveyed wanted the estate to be demolished.

I had lived on the Heygate estate since 1974. Contrary to the council's press statements and media hype there was in place a great community living on the estate. I was an active member of the Heygate Tenants & Residents Association for a considerable number of years up until I relocated in December 2008. Crime was relatively low in stark contrast to the stories put out by the council and the media. The general feeling was that the council was systematically running the estate down.

I was coerced into participating in many forums and stakeholder groups in the belief that myself and others would have an input into the Heygate regeneration. At the end of ten years of consultation I felt I had wasted hundreds of hours by taking part in these groups. Consultation was a sham.

The council valuations of leasehold properties bore no resemblance to what outside surveyors were advising they were worth. I finally moved out when I was advised by my surveyor that his fee was capped, and that his company did not have the resources to continue battling my case with the council.

I very reluctantly sold my property to the council as I was being pressurised into settling. I felt really intimidated. I had to move 15 miles from Southwark into a property that was smaller, and I had to spend my life savings of £40,000 to add to the paltry amount the council forced me to accept for my home.

In doing so, I had to move away from friends and family and lose my social life and other interests. My son who was living with us in a three bedroom maisonette was unable to relocate with us and had to seek rented accommodation to stay in central London because of his job.

In my opinion, leaseholders were picked off one by one. I know of many who suffered as much myself, both mentally and financially. Our promise of retained equity options on the new homes to be built on the Heygate was another broken promise alongside the expected replacement social housing and all the other public benefits of the scheme that have since been dropped.

We have been forced to give up our central London homes at a totally unrealistic price, in order to enable a private developer to build luxury private properties that none of us will ever be able to afford.

Submission by Tim Tinker – Heygate estate architect



I was the Lead Architect responsible for the design of Heygate from its earliest inception stage up until the last handover and contract completion.

I submit that the design of Heygate was an appropriate and far sighted solution to providing local authority housing on such a difficult site, surrounded as it is by main roads, including one of the busiest and noisiest in London, the New Kent Road. The fact that Heygate turns its back on these noisy polluting roads, far from being a criticism, is a major asset. In particular the area in the centre of Heygate, entirely traffic free and much larger than the proposed new Park, provides an almost ideal environment for families in central London to bring up their children in.

I submit that the design of Heygate is as appropriate today as it was in the 1970s and that if were not for decades of poor management and low maintenance, Heygate would be a jewel in any residential property portfolio, private or public.

I submit that the public walkways as designed for Heygate were and still should be a public asset. Their design took into account the need for defensible space and public overview. The whole farrago of Heygate being a Muggers' Paradise is just that, a farrago of half truths and lies put about by people who should have known better.